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## WORKSHOP TOPIC AREA AND TEAMS

Space Requirements for Primary Enclosures and Room for Exercise.

Mervin Satterson, Chairman, DVM, Kansas, KS

John Coulley, APHIS Facilitator

Natalie Roberts, APHIS Facilitator

David Schatz, REAC Technical Resource

Intelligence Network Analyst

## PROCEEDINGS OF PUBLIC MEETING

Session I: Space Requirements for Primary Enclosures and Room for Exercise

Roberta L. Johnson, APHIS Facilitator

Bob Miller, APHIS Facilitator

Linda L. Smith, REAC Technical Resource

## ON DOGS AND CATS IN COMMERCIAL PET TRADE HELD IN WASHINGTON, DC (APRIL 10 & 11, 1996)

Veterinary Care and Breeding Frequency

Jessica Chen, Chairperson, DVM, American Humane Association, Englewood, CO

Vicki Bridges, APHIS Facilitator

Deb Mills, APHIS Facilitator

Richard Watkins, REAC Technical Resource

Ivy DeArce, REAC Workshop Assistant

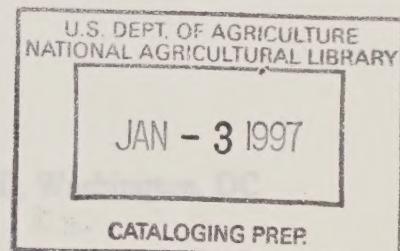
Transportation by Land and by Air

Michael Moyer, Chairperson, Attorney, Pet Industry Joint Advisory Council

Lou Koth, APHIS Facilitator

Steve Smith, REAC Technical Resource

Sandy Stark, REAC Workshop Assistant



July 31, 1996

In addition to the meeting participants, I would like to thank Sue Gallagher, overall coordinator, and the dedicated efforts of many other employees within this Regulatory Enforcement and Animal Care and within within the Animal and Plant Health Inspection Service who contributed to the success of this public meeting.

U.S. Department of Agriculture  
Animal and Plant Health Inspection Service  
Regulatory Enforcement and Animal Care



## **WORKSHOP TOPIC AREAS AND TEAMS**

### **Space Requirements for Primary Enclosures and Room for Exercise**

Marvin Samuelson, Chairperson, D.V.M., Topeka, KS

John Coakley, APHIS Facilitator

Natalie Roberts, APHIS Facilitator

David Sabala, REAC Technical Resource

Melanie Nicol and Catherine Mitchell, APHIS Workshop Assistants

### **Sanitation, Materials, Flooring, and Construction of Primary Enclosures**

Robert LaGarde, Chairperson, Exec. Director, Helping Hands Humane Society, Topeka, KS

Bill Zybach, APHIS Facilitator

Ben Flerlage, REAC Technical Resource

Linda Donaty, REAC Workshop Assistant

### **Veterinary Care and Breeding Frequency**

Patricia Olson, Chairperson, D.V.M., American Humane Association, Englewood, CO

Vicki Bridges, APHIS Facilitator

Deb Millis, APHIS Facilitator

Richard Watkins, REAC Technical Resource

Joy DeArce, REAC Workshop Assistant

### **Transportation by Land and by Air**

Marshall Meyers, Chairperson, Attorney, Pet Industry Joint Advisory Council, Washington, DC

Lisa Rothe, APHIS Facilitator

Steve Smith, REAC Technical Resource

Sarah Stith, REAC Workshop Assistant

In addition to the meeting participants, I would like to recognize Sue Gallagher, overall coordinator, and the combined efforts of many other employees within Regulatory Enforcement and Animal Care and units within the Animal and Plant Health Inspection Service who contributed to the success of this public meeting.



Dale F. Schwindaman, Deputy Administrator  
Regulatory Enforcement and Animal Care  
Animal and Plant Health Inspection Service  
Marketing and Regulatory Programs, USDA



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### AGENDA A

#### Day 1: Generate Ideas

Subgroups will define issues, discuss, develop actions, recommendations, and timelines. Subgroups will share, report to working breakout, clarify things, and elicit feedback.

#### Day 2:

Feedback

Clarify feedback

Summarize actions/timelines

Report to breakout

Chair will develop the report and report to the large group

### IDENTIFICATION OF ISSUES (Definition)

- "Standardization of Criteria"
- Selective Documentation
  - Changes
  - Current regulations
- Acclimation
- Socialization
- Exercise young animals
- Why animal plus approved by sending veterinarian?
- Definition of exercise
  - Socialization
  - Improvement



**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**1. Space Requirements, Washington, DC Apr. 10-11, 1996**

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**1. WASHINGTON, DC SESSION: Space Requirements for Primary Enclosures and Room for Exercise**

**PURPOSE**

- Give input to USDA for their process of reviewing the regulations
- Listen and gather information
- Identify key issues
- Come up with recommended actions
- Identify common ground
- Identify "tough to resolve issues".

**GROUND RULES**

- Self managed breaks
- Agree to disagree
- Everyone has a chance to participate
- No quotes or attributes in reports
- Focus on issues not positions

**AGENDA**

Day 1 Generate Ideas

Subgroups will define issues , discuss, identify actions/recommendations, record on flip charts, report to workshop breakout, clarify things, and evaluate feedback

Day 2

Feedback

Clarify feedback

Summarize actions/recommendations

Report to breakout

Chairs will develop the report and report to the large group

**IDENTIFICATION OF ISSUES [Brainstorming]**

- "Standardization of Criteria"
- Scientific Documentation
  - Changes
  - Current regulations
- Anecdotal
- Socialization
- Exercise young animals
- Why exercise plan approved by attending veterinarian?
- Definition of exercise
  - Socialization
  - Improvement

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- Measurement of improvement
- Direction overall improvement of exercise (frequency/duration) and space requirements for dogs and cats and groups of dogs and cats
- Grandfathering of existing complaints
- Tethering, yes or no
- Space (claustrophobia) and the effect of light
- Improvement over minimum standards
- Enforcement
  - equal
  - consistent
  - uniform
  - temporary facilities for pregnant/whelping dogs/cats
    - how long?
- Cost/Benefit (to animal)
- Risk Assessment
  - welfare of animal vs. cosmetic
    - The welfare of the animal is the most important issue
- Inclusive of all who deal with animals
- Certification/self regulations
- State or Federal regulation
- Classification of licenses to sell to: e.g., research only - include other license categories, pet stores, etc.
- Need to reevaluate how to license people
- Space for pregnant dogs in a special container - are there any regulations on how long they can be kept confined....is there a specific regulation that addresses it, want to question the validity of it on the basis on humane animal care
- Issue of definition - regarding exercise, need more specificity on what constitutes regular exercise
- What constitutes appropriate environment for exercise to take place (i.e. yard, walked on leash)
- Adequate space; what constitutes it for poundage dog/cat. Need to look at it particularly with as with greyhounds. Need scientific data to redefine, analyze, see what is sufficient and what is humane. Want to include sociability and breed aspects
- Veterinarian as a consultant;
- Need to be concerned with animal behavior as well as animal health (need professional judgment). That includes animal behaviorists as well as veterinarians
- Issue of professional judgement being used which still results in inadequate space for animals.
- Think 5% increase in area for puppies and mother for space is fine when first born, but

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should be increased to 10% once they are older. 5% is not adequate...size and space issue.

- Site of enclosure for young animals
- Environmental stimuli
- Psychological issues with animals
- How to write something that is workable for everyone
- Enforcement is the issue; regulations currently are fine
- What effect will space requirement changes have on socialization or psychological aspect of animals
- Must have orthopedic considerations; have some breeds predisposed to different problems and need different exercise requirements
- Spaces for dogs incidental to kennels
- Separation of sexes
- Need temperature guidelines

**Prioritization of Issues**

Participants voted on priority of issues. Ended up with the following categories:

- (1) Standardization
- (2) Definition
- (3) Overall Improvement
- (4) Certification/Self regulation
- (5) Classification of licenses
- (6) Enforcement

[Participants then broke up into small groups of 4 to 10 people each. Their charge was to define the issue and topic, sub-issues, and discuss what should be done with it. On Day 2 two issues, "Definition" and "Overall Improvement" were merged into a single topic. With this change, the members were broken into 5 groups total.]

**STANDARDIZATION**

1. Agreement on regulations as written: formulas on space requirement. Formulas for holding space are adequate as they exist. Review scientific data as it becomes available.

Comments: Adequate as now stated, regulations are sufficient as they are. Current regulations are adequate as they are, should not be regulations especially for research; leave regulations as they are; current space requirements are adequate; adequate as now stated; no scientific evidence -- only opinions for change.

2. No change for revising formulas until scientific data is available

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Comments: use new simpler, improved formula: add runs to cages using the following formula:  
large breeds - over 50 lbs - 32 sq.ft cage - run ft. X 15 ft., medium breeds - 21 - 50 lbs. - 24 sq.ft.  
cage run ft.. X 10 ft., small breeds - less than 20 lbs. 15 sq. ft. Cage, 3 ft. X 10 ft.. run.

**3. Environmental socialization regulations are adequate**

Different requirement by breed? Re: regulation space requirements current formula is sufficient.  
Environment must allow for socialization with people and with other animals

Comments: Socialization of dogs is more important than exercise. Cages and runs must be enlarged at least 25% if more than one dog is put together. Recommendation - two temperamentally compatible dogs per cage/run. Require constant access to potable water. No self-feeders. Recommend mounted feeders so dogs can't urinate/defecate in them or tip them over. Feeders should be cleaned and sanitized daily. Increase the size and improve material of resting surface. Height of cage must be at least 6 inches above resident animal while standing on his hind legs. Use of chew toys and other enrichment should be encouraged. Decrease number of dogs allowed per cage to no more than two temperamentally compatible dogs per cage. Strengthen temperature guidelines. Maintain indoor constant temperature at floor level of 70 to 80 degrees for infant animals, 60 to 70 degrees for adults. Air must be constantly circulated, at least 8 times per hour. Too complex. Space should be increased to permit exercise. Class A and B pet breeders should have different rules and regulations. Daily cleaning is not too much to ask. Should be a minimum. Encourage socialization, don't demand it.

**DEFINITION/OVERALL IMPROVEMENT (IN EXERCISE, ENRICHMENT AND SOCIALIZATION)**

Definition - Exercise, Space Requirement, Grand fathering, Overall improvement of  
Do we need to make changes?

**A. Exercise**

- 1) OK, if regulations are enforced consistently
- 2) Need standardization (time per dog) and (space per dog)

**B. Space Requirements**

- 1) OK, if exercise requirement is also enforced.

**C. Grand fathering**

- 1) If requirements change, phase in
- 2) Requirements over 3 year. average depending on change (18 months - 5 years)

**Comments:**

- Human companionship important for animals bred as companion animals and animals used in laboratories.
- Allow enough space for their natural instincts and movements.

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- Recognize that there are breed specific behaviors.
- Beyond routine husbandry, strongly encourage periods of human interaction. No frequency time specification.
- Minority opinion: There should be a minimum exercise requirement of walking dogs 2 times daily for 20 minutes each or putting in 40 square foot runs with one other temperamentally compatible dog.
- Minority opinion - We should disallow "another dog" as adequate exercise. Allow licensees to provide toys to enrich environment. These must be sanitizable: balls, ropes.

Space- Majority felt current regulations are sufficient to allow animals enough space for their natural instincts and movements.

Exercise- Majority felt that existing regulations that allow for veterinarian to develop exercise plan are acceptable. Minority requested that minimum standards be established under regulations.

#### Enrichment/Socialization

- Implement written socialization plan with both humans and other compatible animals.
- Also include sanitizable enrichment devices (i.e., toys.)
- "Grand fathering"- Time allowance based on extent of change required
- Consideration for all areas for breed-specific characteristics (also for life stage and sex.)

#### Comments:

- Socialization is just necessary exercise. Exercise is not just a physical issue, but a mental one as well. It benefits all parties concerned for the animals to be both physically and mentally fit, particularly if the animals are to be pets.
- Require psychological enrichment: toys, human companionship.
- Kennel dogs are healthier than average house dogs. Regulations are adequate now.
- Certain toys could be harmful. Toys get nasty fast (30 seconds) and cause cross contamination. Toys would always cause problems for health and sanitation.
- Dogs have more reason to exercise if other dog(s) are in the same enclosure. Do not exclude another dog as acceptable. Another dog is very important to their happiness as a happy healthy, well cared for pet.
- Do not disallow another dog as adequate exercise.
- Eliminate the ability to tether animals except while walking with a leash.
- Dogs exercise better with another dog. The exercise requirement must be standardized, depending on size of dog.
- This is more demanding than current regulations.
- Does exercise need to be daily or are extended periods of larger areas better?

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- We must have flexibility rather than many specific issues. It is not possible to address each specific issue. The licensee/registrant should propose a program, using whatever "experts" deemed appropriate. The program could then be deemed acceptable or not.
- Current regulations should be enforced. Current regulations are sufficient, adequate. No changes, no new regulations. Current regulations seem enough now. If the dogs produced are healthy, what is the problem? The current regulations are sufficient when properly enforced.
- Not all breeds have the same needs - not all dogs in a breed have the same needs.
- Flexibility is a must. One rule does not fit all. The main problem is with set rules.
- Eliminate "other dog" as adequate for exercise; though some dogs will initiate play with another dog, not all will do this. Human interaction for exercise and socialization are crucial, especially if these animals are intended to be pets. Studies of pen size/amount of activity show no advantage that a large area leads to increased activity with other dogs.
- No, too costly, in people resource and facility costs..
- Opinions about 20-minute walks and how frequent those should be are opinions with no basis in science.
- Without a scientific path, there should be no change, current regulations are adequate.
- If USDA decides major changes are needed in a facility, it must be for a good reason concerning the welfare of the animals. Therefore the "grandfather clause" for a period of more than several months would jeopardize the welfare of the animals.
- More infractions - No "grace period" should be given for minor infractions, you are either in compliance or not, period.
- "Grand fathering" means that facilities in operation prior to enactment of new regulations would be exempt - not acceptable. Give them time to comply based on type of violation.
- Limit the amount of time facilities are given to come into compliance. Life threatening situations must be immediately corrected and have follow up within 30 days.
- No grandfather clause. Allow adequate time to comply: 90 days. All licensees must comply with present regulations. Grand fathering for 18 months is far too long. To comply with any changes, six months should be the limit. Shelters do it and are nonprofit. Certainly breeders for profit can afford to come into compliance.

## **CERTIFICATION/SELF REGULATION**

- Breeding Facilities
  - USDA Inspections (Certification would encourage breeders to exceed standards and allow USDA inspectors to concentrate in substandard facilities.)
    - Certification is a voluntary initiative to encourage breeders to exceed minimum USDA requirements.
    - Certified breeders would qualify for less frequent USDA inspections.
    - Certification should be done once a year.

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- Certified kennel should be given definition. Help to promote breeder's product.
- Inspection would be based on USDA requirements and guidelines above minimum requirements, veterinary inspection, and photos.

1. Need ways to encourage breeders to exceed minimal USDA regulations.
  - A. Fewer Kennels needing constant inspections by USDA equates less workload for inspectors.
2. Certification should be based on the following:
  1. Facilities
  2. Animal Care
  3. Education - continuing
  4. USDA Inspections and Violations
  5. Others to be determined
3. New vs. Well maintained
  1. Both are equal.
4. Certification doesn't need to be set up by USDA, but a part of total certification.
  1. Be approved by USDA
  2. Open to floor mat in setting up guidelines.
5. Consumers need a way to know when pets come from superior kennels

### Comments:

- Be careful with ratings or it may become a political game. Instead of Class A or etc.
- Why don't we reward people who do much above the minimal requirements. It is much better to have rewards. "I want" is better than "I have to."
- Good way to encourage breeders to excel
- The certification program must be based on the animals welfare & not the cosmetic look or the dollars spent building the facility
- Certification program should be related to the well being of the animal, instead of how much money the owner has spent on their building
- Scientific documentation
- Enforce the current requirements
- Certification program or violation rating program?
- What is the minimum frequency for inspection? Now inspected about once a year.
- Need ways to encourage breeders to exceed minimal requirement.
- Enforcement, not harassment of good kennels.
- Perhaps it would be better for USDA to rate areas of concern as minor or major or some other acceptable terms.
- This certification program could turn into a political nightmare. All ratings could depend on the money the owner has. A rich owner would get a top rating. A poor owner would get a bottom rating (dogs well taken care of and happy.)

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- There should be incentive to exceed minimal standards, but not decrease the number of inspections for facilities in compliance. Any other type of business being inspected for various reasons applicable to that business is not given less inspections if they're doing what they're supposed to by the law.
- No harassment of good kennels.
- Self regulation will encourage dealers to enhance their own operations.
- Kennels that are way above minimum standards need to be identified so they can better market and consumers can know also.

### **CLASSIFICATION OF LICENSEES**

Separate pet trade from research animals trade

- due to belief that all class B dealers operate alike (i.e., pet theft)
- create separate class for research only
- broker should remain in separate class
- include pet stores or anyone dealing/selling dogs and cats
  - dogs/cats come under same standards of people currently affected by AWA

#### **1. Extend coverage of AWA to include retail pet stores**

- record keeping
- veterinary care
- housing

USDA lacks jurisdiction to regulate local shelters and pounds .

#### **2. Explore pros and cons of separating registration/licensing of pet trade (dog cat) from research trade**

- needs are different
- cost of dual registration
- may be restricting commerce
- how fine must division be

#### **3. Require bonding of brokers to increase accountability.**

#### **4. Provide list of class A, B, C - researched**

- is available upon request
- provide annually as courtesy at license renewal

#### **Comments:**

- Listen to those who do and not those who preach.
- Class B: disallow sale to research.
- Class B: cannot sell to research

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- Classification is a good idea. Stolen pets typically go to research, not the pet trade (especially if animal is mixed breed.) Owners need clue of where to look.
- Research has different needs than commercial breeders
- Separation of research and pet trade is a good idea
- Regulations will be more specific to needs
- Subdividing on differentiating registrants has no impact on welfare of animals. It could increase cost to registrants and bureaucratic paperwork.
- Reclassify class A dealers: a1: dogs/cats bred as pets; a2: other animals bred as pets; a3: dogs/cats bred for laboratories; a4: other animals bred for research; a5: animals bred for exotic trade.
- Do away with A and B licensed and call them what they are--professional breeder, professional broker/distributor.

**Comments:**

- All individuals/professionals that deal in dogs or cats (in any way) should be licensed.
- Pet stores should be regulated by local government/community.
- License all who deal/sell "pet"dogs including pounds and shelters.
- License all who deal with animals, including pounds. This is not the responsibility of USDA. This would be too complicated; leave it as is.
- Three intact females or more require license; give breeders a form of recourse to deal with biased or unfair inspectors.
- Cage size requirements are sufficient as written.
- Unless animal rights people walk in our shoes - keep out of our business.
- Uniform inspections.
- We need a national tracking system for companion animal health like the National Animal Health Monitoring System.
- USDA has 73 inspectors and 52 field investigators and can't gen rid of "bad guys."
- Licensing more people would create chaos and make matters worse for all "good guys."
- Pet stores and some kennels not now under USDA regulations; they have responsibilities too.
- License all pet stores, industry, hobby shows, shelters/pounds.

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## **ENFORCEMENT**

### **1. Equal**

Comments:

- Training program for inspectors and licensees would be helpful in understanding the regulations. Possibly meet through a dog breed club.
- Major/minor problems should be listed as such - USDA should work hard on "majors" and allow time on "minors."
- Uniform USDA inspections
- Equal & uniform enforcement
- Consistency is a must

### **2. Consistent**

### **3. Uniform**

- Code of regulations; each inspector attend required training

Comments:

- Inspectors trained to interpret regulations same!
- Mandate random unannounced inspections
- Current regulations are adequate
- Require educational training for inspectors
- Requirements should be divided into major and minor: warning first for minor infractions - verbal or written

Comments:

- Limit amount of time facilities are given to come into compliance. Licensees with egregious, life-threatening NCI's should have licence revoked.
- Mandate an aggressive and consistent referral of cases from Animal Care to Regulatory Enforcement.
- When minor infractions are found, a verbal discussion is sufficient.
- Historically this has created an enforcement/prosecution problem;
- More internal communication on interpretation of regulations.
- More inspections needed,
- If changes are made: Grandfather Clause Advisory Board..
- Coordinate with State and certification.
- Advisory boards are always a help in obtaining consistency.
- Advisory Board should include breeders & USDA officials - not individuals who wish to end commercial production.
- Advisory Board includes: Breeders, USDA Officials, veterinarians, animal welfare.
- Advisory Board should not include entities who have no monetary investment.
- State inspections/license in addition to not in lieu of Federal /USDA regulations/inspections.

## **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

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1. Equal, consistent, uniform, & expedient inspections

Comment:

- Equal enforcement to all involved in animal welfare - encourage excellence and professional performance

2. Training - Communication Education - for all etc. (As in seminars etc.) Before and continuing recertification of USDA Inspectors required.

3. Advisory Board: USDA, Breeders, dealers, animal welfare, veterinarians.

4. Regulations adequate as long as consistently enforced

5. Grandfather Clause

MAJOR - Conditional up to standard or in compliance

Limited condition on major capital assets

Limited condition on meeting certain standards

Comments:

- Grandfather clause allowed as inspectors know what exists at a facility - and when something needs to be updated bring into compliance
- Grandfather rights
- Grandfather clause any changes
- Grandfather if any change
- No "grandfather clause", which means those existing prior to enactment of new regulations, would be exempt. There should be a specified time allowance for different types of noncompliance to be rectified; allow for changes to come into compliance.

55. *Do to Xida* *Chittor*  
tell me more about your life

### and your interests & activities.

Answer  
I am a simple man - wife leaves at 6pm & I go to the market for  
the evening meal. I have no other interests.

Ques. *Can you tell us about your family?*  
*How many people live there?*

Ans.

I have three sons & one daughter.  
The eldest son is married.

Ques. *What do you do in your free time?*

Ans. *I like to fish in the river & go  
to the beach or go swimming.*  
I also like to go to the mosque  
for morning prayer.

Ques. *What do you eat for breakfast?*  
I eat bread & tea for breakfast.

Ques. *What do you eat for dinner?*  
I eat rice & vegetables for dinner.  
I also eat meat once a week.

Ques. *What do you eat for lunch?*

Ans. *I eat bread & tea for lunch.*  
I also eat rice & vegetables for lunch.

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**2. Sanitation, Materials, etc., Washington, DC Apr. 10-11, 1996**

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**2. WASHINGTON, DC SESSION: Sanitation, Materials, Flooring, and Construction of Primary Enclosures**

**PURPOSE, PROCESS, GROUND RULES**

Purpose of meeting is to give input to USDA

Process--Listen and gather information

Key issues, lists, Prioritizing issues

Areas of consensus--recommendations

Record perspectives

Generate ideas

Break out into Subgroups

    define issue, discuss, id actions/recommendations, record on flipcharts

    report to breakout

Clarify, Give Feedback

Day Two, More feedback, Subgroups incorporate feedback and develop recommendations

Report to work group, Report out to large group

Ground rules--

1. Self-managed breaks

2. Focus on situation/issue - not on person, people

3. No quotes or attributions

4. Let everyone participate

5. Agree to disagree

6. Don't be judgmental - phrase things so they don't push buttons

Get a feel as to where people are as a group around the issue of regulations

**STRAW POLL**

Bill asked 5 questions of group:

1. Who feels we need more regulations - 6

2. Who feels we need less regulations - 2

3. Who feels regulations should be left as they are - 15

4. Who feels regulations need to be better defined - 27

5. Who feels regulations need to be better enforced - 27

There are gaps in the regulations. Enforcement and better understanding needed of regulations as they exist.

Combine data from other two workshops and this workshop into a final product.

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**2. Sanitation, Materials, etc., Washington, DC Apr. 10-11, 1996**

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**IDENTIFICATION OF ISSUES**

Group asked to give feedback on 2-3 issues that you think are key issues: What would they be?

1. Define the type of material used in construction - 11.  
Comment: Can't use Performance Standards for flooring! Specific requirements must be applied.
2. Strengthen (6) and clarify (10) the sanitation requirements (3.11).
3. There should be different construction materials for different climates and breeds - 6.  
Comments:  
Don't fix if it ain't broke. Coated wire works and is super comfortable. I had it. It works!  
Any data for need to change?
4. Equal enforcement of regulations extended to all who house animals - 19.
5. Equal enforcement based on regulations -- not personal opinions of inspectors - 17.
6. Define acceptable types of flooring - 13.  
Comment: Four participants felt this item should be combined with items 15 and 16.
7. Specify and define time frames related to frequency as opposed to "as necessary" - 7.  
Comment: Keep animal rights people out of our business.
8. Clearly define limits for group housing - 3.  
Comments:  
Leave regulations as they are.  
Leave regulations as is.  
Grandfather rights.  
Check regulations as it is already defined.  
Make AWA rules understandable so that everyone can understand them.  
Regulations already state this information.
9. Materials (interior surfaces) need not be impervious to moisture; rather readily cleanable and sanitizable - 13.  
Comments:  
Strike impervious from regulations.  
Define impervious.

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**2. Sanitation, Materials, etc., Washington, DC Apr. 10-11, 1996**

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10. More specific about floor slopes in regard to drainage and cross contamination concerns.

11. Increase and specify the size of resting surfaces - 3.

Comments:

Dogs can rest in box on pen. Eliminates manure.

Resting surfaces become "manure boards". Summertime comes and manure on coat causes green fly maggots in a few hours.

Heat cycles are a natural function as is breeding when body is healthy and ready. You can't fight nature!

Resting surfaces can be a real problem as feces can collect on them.

Cage size should depend on animals housed and their comfort - not what you think you want to see.

All kennels should be inspected uniformly.

12. Education of inspectors, licensees, and public about current regulations - 7.

Comment: Good idea.

13. Simplify and standardize regulations so that everyone knows and can follow in way that is less subjective - 18.

Comment: Agree.

14. Definition of "impervious to moisture."

15. A grandfather clause for facilities that are in compliance when changes are made to regulations - 15.

16. Specific time period (discussion of time for compliance).

17. Size of "suspended" floor specific to breed, e.g., vinyl coated.

Comment: Cage size is dependent on dog size - should be thus because it works. Don't fix what ain't broke.

18. Elimination of wire flooring.

19. Temperature considerations including flooring temperatures need to be clarified.

20. Reward good/top performers/don't punish because of those behaving bad - 3.

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**General Comments:**

Write the regulations in layperson form.

All inspectors treat all kennels the same.

A discussion of combining several of the above items was held.

10 + 6 6 & 15 10 & 2

If 5 & 13 combined, do we need #12?

1 & 9

**Comments:**

Strike impervious from the regulations.

Basis of all this is the AWA! Let us not lose sight of this.

Ended up with 17 issues; asked group to put comments on items to be deleted or regrouped.

**Comments:**

Equal enforcement of regulations extended to all who house animals.

2 & 17 equal enforcement

17 people said to simplify and standardize.

16 people said to strengthen and clarify sanitation.

13 people agreed to the following:

1. define acceptability of flooring

2. delete impervious

3. grandfather clause

**Comments:**

1. Goal and actions

2. Are the regulations the way to do this?

**PRIORITIZATION**

Bill suggested breaking out into groups to discuss the different issues and what needs to be done. From breakout groups, it was decided that the following 8 issues were the most important:

1. Define materials - type of materials used in construction
2. Strengthening/clarifying sanitation requirements
3. Equal enforcement of all who house animals
4. Equal enforcement of regulations based on fact, not personal opinion
5. Different/acceptable types of flooring
6. Materials not being impervious to moisture
7. Simplify and standardize regulations
8. Grandfather clause/time frames

The group broke out into smaller groups to work on issue interested in.

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**DEVELOPMENT OF ACTIONS AND RECOMMENDATIONS FOR EACH ISSUE**

Day Two: Meeting began around 8:30 a.m. to begin task of incorporating information received from other workshop members and their comments. Identify the following:

1. What the issue is (Capture in a sentence what the main issue is.)
2. What are some of the suggestions or recommendations of that issue? Be specific as possible.

**Comments:**

Write the regulations in layperson form.

Inspectors treat all kennels the same

Cage size is dependent on dog size - should be this because it works. Don't fix what isn't broke.

Cage size should depend on animal housed and their comfort--not what you think you want to see.

All kennels should be inspected uniformly.

Resting surfaces become "manure boards." Summertime comes and manure on coat causes green fly maggots in a few hours.

Resting surfaces can be a real problem as feces can collect on them.

Dogs can rest in box on pen

Eliminate manure

Heat cycles are a natural function as is breeding when body is healthy and ready. You can't fight nature.

Check regulations as already defined

Leave regulations as is

Make AWA as understandable as possible

Keep animal rights people out of our business

Any data for need to change?

Don't fix it if it isn't broke. Coated wire works and is super comfortable. It works.

Group reconvened and reported back to the group on what the important issues are.

**1. Define Materials - Type of Material Used in Construction**

What is the problem? What is best for animals' well-being (contamination to be considered).

Issue: The regulations are not specific enough in stating what materials are or are not acceptable.

1. Injury caused by wrong size or diameter of material itself.
2. Should suspended flooring be used at all.
3. Resting surface is currently in regulations--a question of size and material.
4. All solutions must be based upon results/orientation rather than engineering safety.

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5. Is surface that allows appendages problematic or appearance problem?
6. Types of floor - dirt vs. concrete vs. gravel vs. raised (suspended) vs. slick/impervious surface.
7. Benefits of suspended flooring.
  - What is readily available
  - "Common sense" - what is practical and structurally sound
  - But who determines what is "practical?"
  - Have to define what is fit for cats and dogs - needs of animal
  - Couldn't have "no wood construction" - one opinion
  - Need to be specific about materials to be used--should be able to eliminate some materials.

Comments:

Agree--chicken wire is not acceptable--no chicken wire

Agree--wire flooring should be eliminated

Agree--concrete is an acceptable material

Wire mesh - not acceptable

Appropriate conditions

There was a general disagreement on application of wood (some types of wood would be acceptable and others would not).

Better define specifications of building materials

What are we trying to achieve by better wood or no wood?

Agree--other materials under certain circumstances might be appropriate

Wood in certain instances

Some agree chicken wire should be eliminated.

Difference in other materials

Comments decided by group:

Daily cleanup for pens is not too much to ask.

Greyhound racing should be regulated.

Materials that are not impervious to moisture should not be allowed.

We all live in wood houses. Our dogs can live the same way very healthy.

Consider health problems when using concrete, especially for large breeds. Wood should not be eliminated - if sealed and sanitizable, is better than wire and concrete.

Chicken wire (type) is good to use as a top for pens. It is lightweight, keeps escape artists from getting hurt. Or breed without observation--welfare of animals.

Recommendations:

- o Wood should be eliminated from use (if not impervious)
  - one disagrees - two agree

Comment: Would disagree, and want to keep wood as an acceptable flooring substance.

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And able to still use wood in general construction.

- o Concrete can be acceptable.
- o Wire flooring should be eliminated (on direct contact with dogs).
  - One disagrees (coated wire of adequate size is okay).
  - Eliminated only if cleaning times are regulated (one opinion).
- o No chicken wire allowed (all 3 agree)

Better define what specifications are acceptable for housing material.

### General Comments:

- Improve regulations for adequate shelter.
- Allow the good breeders to use the good judgment God gave them. They'll be good tomorrow like today.
- Must abolish wire flooring.
- Coated flooring helps keep Coccidia at bay, thus ensures healthy pups.
- Coccidia is not the only disease found in puppies; therefore, preventing only that does not ensure healthy puppies.
- Chicken wire is not a normal material in use now.

## 2. Equal Enforcement for All Who House Animals

Exempt:    For    Against

1. retail pet stores	5	0
2. 3 or less females and selling offspring	4	1
3. selling fewer than 25 dogs for research and teaching	4	1
4. transport for breeding, grooming, etc.	4	1
5. animals used for food or fiber	4	1
6. sells direct to public	4	1

### Comments:

- Retail pet stores should no longer be exempt
- Question was asked how people are included in \$500 limit.
- Focus is on retail pet stores being exempt

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Prioritizing the enforcement obligations

Comments:

Lift exemption or USDA interpretation of "hunting dog" coverage

\$500 exemption would purport to cover 1 or 2 litter "backyard breeder", but that breeder is not discovered until AFTER THE FACT.

Include all groups-- nonprofits, humane societies, and shelters as well as hobby/show, etc.

To regulate all farms while using the rationale of inadequate funding to regulate shelters and humane societies is illogical.

Any facility that houses animals must meet the set standards, i.e., dog pounds, humane shelters, etc.

Comment from group was:

2 exemptions; rest leave as is.

Exempt:

1. Purchase animals as companion animals
2. Any person with gross income of less than \$500/yr should be exempt.

General comments:

- Decide best remedy for current situation
- Stricter enforcement of current regulations
- Change regulations to include non-profit, hospitals, humane societies, profit, etc.
- Listen to those who do and not to those who preach
- An animal's life should be given the same consideration wherever it is if the animal's welfare is the prime concern

### **3. Grandfather Clause**

There were 3 in this group and all were in agreement that:

- What is the problem - none.
- What is the goal - Make use of the Grandfather Clause.

Comment:

It is not the intent of the group to include in the "clause" what would be harmful to animals.

There was general agreement that the idea behind the "clause" is correct.

Actions: To add the Grandfather Clause to the regulations.

Reason : When the facility has been inspected and is in compliance, the animals are healthy and well cared for -- (if harmful to animals, then remove.)

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Regulations should not require changes until the specific area needs to be replaced. As the regulations exist at this time, they produce economic burdens that take away from the intentions of the Animal Welfare Act. When these changes are required, it is only for cosmetic reasons, instead of welfare.

Any new repairs or building would be required to follow the new regulations.

Example: When an automobile is required to follow new regulations (for example -air bags), the existing vehicles are not required to either install this equipment or park the vehicle.

**Comments:**

- "Grandfathering" is right..
- If Grandfather Clause is used, it must be of a specific time period, i.e. 60 days.
- Profit of breeders should not be a factor in deciding which regulations to enact. If there is any kind of concern for the animals in the facility, the changes will be made ASAP.
- If a material is unsafe, it should be replaced -- a phase-in period.
- Purpose of regulations is not to support breeders but to protect animals.
- Shouldn't regulate animals as you regulate cars. Animals are living, feeling beings.
- Must require compliance within a certain time frame.
- No Grandfather Clause--only given time to comply with.

**4. Sanitation Requirements**

Group was in agreement on the following:

Action 1. A better definition of cleaning requirements pertaining to frequency of cleaning suitable to circumstances: indoor, outdoor, flooring material, age, number and condition of animals, e. g., single adult animals, whelping/lactating bitches, queens, active puppies. Use common sense.

**Comments:**

Sanitation sufficient as stated in regs.

People clean much more than most think. It takes less time to clean daily than any other method. Use PIJAC certification guidelines.

According to the American Humane Association's operating guide for animal shelters, floor slopes should be finished smooth (to prevent penetration of fluids). A slope of 1/4 to 1/2" running foot should be specified through animal spaces (or anywhere where a floor drain is specified to prevent pools of urine).

Being so specific would be detrimental to existing facility. Use what works, not a formula. Inspectors trained to interpret all the same.

\* Problem: Lax interpretation of existing sanitation/cleaning guidelines.

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Action 2: Improve education in "accepted animal husbandry" for everyone involved in housing animals to ensure compliance and consistency of enforcement.

Comments: Common sense and enforcement will go a long way here.  
Current regulations are adequate.

Action 3: Move toward education/definition of performance-based standards to allow flexibility of method with same outcome (e.g., clean, healthy animals; clean, dry floors; clean, sanitary caging; sanitary caging areas; non-transmission of parasites, viruses, bacteria, etc.)

Comments:

In operating rooms of hospitals, are there performance-based standards for sanitation?  
What works for one doesn't for the next. Flexibility is important.

Education allows people to see where they fit in sanitation/cleaning to other kennels.  
Common sense is a key.

Sanitizers should be non-toxic to animals and humans.

Sanitizers do bad things to germs and filth. People and animals are composed of the same chemicals as germs and filth. Better to educate personnel about personal safety + the need to protect animals from contact with sanitizers and cleaning agents.

Develop standard operating procedures (SOP's).

In accordance with guidelines, create sanitation SOP that is kennel-specific.  
Better education of licensees and inspectors.

## **5. Acceptable Types of Flooring**

What is (are) the problem(s)?

1. Injury caused by wrong size of flooring or damage of material itself.
2. Should suspended flooring be used at all?
3. Resting surface is currently in regulations--a question of size and material.
4. All solutions must be based upon results/orientation rather than engineering
5. Is surface that allows appendages problematic or appearance problem?
6. Types of floor--dirt vs. concrete vs. gravel vs. raised (suspended) vs. slick/impervious surface.
7. Benefits of suspended flooring.

Verbal Comments:

If use 16 gauge or less, should be coated with non-metallic coating: 3-0.

Resting surface - agreement of 3-0 regulations are adequate; one said size needs to be more specific.

Other types of flooring - dirt, grass, normal surface should be large enough.

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Density of animal should be considered.

Concrete should be recommended if small space.

Wire mesh not being of a size that might injure animals.

Using exercise as criteria for making a determination.

Discussion around the use of non-coated wire mesh.

If non-coated wire mesh is used, should address issues to protect animals' feet but allow passage of waste.

**Issues Voted on:**

**1. Suspended flooring acceptable: 4-0 - 1-3 Qualifies**

Approval upon sanitation being done frequently, i.e., 1 time daily.

- a. A Risk/Benefits Analysis should be used by USDA in evaluating all types of flooring: 3-1; especially as pertaining to elimination of wire flooring: 1-3.
- b. All wire of 165 gauge or larger should be coated with non-metallic coating (to protect feet): 3-0. USDA should require the coating on all gauge flooring: 1-0.
- c. Aperture size should be large enough to permit waste to pass through readily and small enough to support the dog's or cat's foot in a normal conformation.
- d. Resting surface/board - current size (regs) is adequate: 3-0. Size of resting board needs to be more specific: 1-0.

**2. Other flooring**

- a. Dirt/grass/"natural" surface - must be large enough pen size that no excretion build-up occurs or daily cleaning should occur.
- b. Density of animal population should be considered in determining type of flooring to be used. Concrete should be used whenever space/density ratio is high.

**Comments:**

- Should a regulated body regulate itself?
- Preweaned puppies whose feet and legs drop through mesh floor are permissible as long as they are not trapped and cannot be injured by other animals.
- Need construction guidelines, actual floor plans, etc.
- Dirt floor should not be allowed. They cannot be sanitized properly. Health risks to animals. Parvo virus can last 6 to 12 months in debris.
- Already in regulations - acceptable.
- Written in the regulations already - leave as is.
- Close the loophole for private individuals selling retail. They currently are not required to be licensed, but should be.
- USDA needs to examine use of non-coated wire flooring.
- Soil is not acceptable.

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- It is in the wild!! Nature's best!
- Required exercise is a necessity.
- Dogs and cats shouldn't have to spend their entire lives on wire flooring!
- Porous materials should not be used.
- Risk/benefit analysis is unclear and unsatisfactory as a recommendation.
- The positives achieved by suspending flooring must be considered and weighed against any negatives of flooring.
- For outside runs (for large breeds), pea gravel seems to work much better than dirt or grass.
- Animals should be in runs free from their own feces.
- Need more on how risk analysis is done - will be difficult to be subjective.
- Equal enforcement - not personality of inspector.
- The AWA was enacted to ensure that animals in commerce are treated humanely.
- Commercial kennels are blamed for many problems when the kennel does not even fall under USDA regulations.
- Risk/benefits analysis done by USDA inspector, breeder, and veterinarian (in a partnership, so it needs to be specific).

## **6. Simplify/Standardize**

Issues:

Simple terminology

Health and happiness of animals

Add accountability approach like standard operating procedure in sanitation

Focus on performance-related goals

Partnering approach - get rid of regulations written by lawyers - make easier to understand

Hire someone who is a layperson to rewrite regulations.

Regulations are unclear.

Need to relate to goals of what AWA is all about.

Need to develop regulations that are understandable to layperson.

Consistency

Allow owner-judgement

Be specific

Revisions need to be made in total context.

Regulations should be user-friendly.

Comments:

1. Regulations are unclear to layperson..

**Problem:** Don't always relate to goals, so compliance/enforcement is difficult if not impossible.

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Solve : Use professional writer, layperson's terms with use of regulations knowledge in total consistent wordage.

Goal : Simple terms: Allow owner judgement.

Relate actions to final goal - Health and happiness (well-being) of our animals.

Solve : Simplify terms and actions in regulations so all can understand and readily comply; make it species specific. Revision would be necessary in total context to simplify and/or standardize.

Solve : Still need revision in context to simplify. No lawyers' "mumbo-jumbo." User friendly but totally concise.

**Comments:**

- Inspectors trained to interpret regulations uniformly.
- Standardize the regulations for all and you'll solve lots of problems with a single blow.
- It is not the responsibility of the USDA to make you understand the regulations.
- Letter to licensee updating AC rules, interpretation changes.
- Performance based is too subjective.
- Don't rewrite regulations - Provide complimentary materials easily understandable by lay people.
- Learn them like everybody else does, take the time.
- Agree - simplify terms - health and well being of animal.
- This is not a responsibility of USDA. Would be too expensive and should be the responsibility of registry associations.
- We need a national tracking system for companion animal health similar to National Animal Health Monitoring Systems (USDA).
- We don't let citizens enforce the laws that concern them. I don't set my own speed limit.
- Self-regulation never works.
- Educate both breeder and inspector on the same regulations.
- That's why regulations are published in the Federal Register.
- For accountability, use an approach like/for example: Standard Operating Procedures (SOP's).

**7. Impervious to Moisture**

2 issues - welfare and sanitation

**General Comments:**

Impervious to moisture is not a good phrase - should be changed to cleaned and sanitized.

Too many definitions of impervious.

Did not agree to eliminate impervious, but surfaces that come into contact with animals should be clean and sanitized.

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By definition, nothing is impervious to moisture.

Changed wording could be: "readily cleaned and sanitized."

Comments:

- Strike "impervious" from regulations - redundant.
- It's impossible to sanitize if not impervious - But what is not impervious?
- Regardless of surface cleaning and sanitation, surfaces that are readily wettable and retain more (moisture) are prone to harboring and encouraging microbiological growth. There needs to be some standard for this problem.
- All surfaces need to be cleanable and sanitized.

Issue: Is "Impervious to Moisture" a Viable Need?

1. Q. What is not impervious?
  - A. Water will rust steel and erode everything else.
2. Q. Would there be a standard addressing the moisture problem?
  - A. Common sense would be the standard: You don't leave wet diapers on the baby.

Surfaces that come in contact with our animals should be easily cleaned and sanitized much like your homes.

Animals do not excel in the laboratory only to be let out, then exposed to the real world and all of its unsanitary conditions.

Regulations should read: "Materials should be readily cleaned and sanitized."

Comments:

- Impervious surfaces cannot be sanitized as easily as porous materials.
- "Easily cleaned and sanitized" is too objective.
- Some materials are more easily sanitized than others.
- Stronger requirements must exist for cleaning and sanitizing porous materials.
- Definition of impervious already in the regulations embodies these concepts of ability to be cleaned and disinfected.

- My puppies that were born to the old farm bitch never saw a pen or coated wire -- they were happy, healthy, and clean.
- Coated flooring protects puppies and helps keep them clean and free from filth.
- Resting board should be counter or floor space if the animal can get under it. Like cat standards.

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**8. Equal Enforcement Based on Regulations, Not Personal Opinion**

There were 6 approaches:

1. Steps to take that regulations could be enforced in a uniform manner
2. Do a hands-on approach
3. Expose inspectors to many different facilities  
(Rotate inspectors in different Regions)
4. Continuing education classes
5. Needs to be more of a partnership
6. Train inspectors

Issue: More consistent education for more uniform enforcement.

- Have continuing education classes for inspectors.

Issue: Inspectors (need) understanding of animal welfare, raising animals on ongoing basis.

- Inspectors need support of agency to do the job -- either get in compliance or expedite legal process (540-day average to complete process).
- Avenue for dealing - rotate inspectors into different Regional offices.

1. Train inspectors to interpret regulations objectively--the same way.
2. Have continuing education classes for inspectors.
3. Cooperate with State agencies with new State statutes, i.e., Missouri and Kansas.
4. Inspectors need support of Agency to do job (minor infraction vs. major/540-day average)
5. Having understanding of animals and animal welfare.
6. Rotate inspectors.

Verbal Comments:

- We know enough about animal care standards to have universal standards.
- Cannot leave these matters to self-regulation. Owner judgment is too variable. In some bad cases, it would be like the fox guarding the hen house.
- Enforce regulations that we now have. See if things don't improve.
- How can you take seriously opinions of those who have no vested interest in the dog breeding industry?
- Train inspectors to interpret regulations the same.
- All inspections done equally.
- Inspections by appointment only!
- Don't fight your good breeders. Just help us get rid of the bad ones.
- Should doctors be allowed to make regulations for lawyers? That would be pretty silly, but no different from letting humaniacs make regulations for dog breeders!
- Animal activist has no right coming into our kennel.

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- Regulation based on experience or successful operations, not on theory or emotion.

**Written Comments:**

- Rotating inspectors is a good idea.
- "Catch more flies with honey than vinegar." Personality means a lot.
- Issue: How you can write the same rules and regulations to all types of facilities.
- Only 25% of fines are collected by USDA. Need to increase this again.
- State statutes are sometimes weaker than Federal regs.
- State laws should not replace Federal regulations.
- Cooperate with State statutes and/or agencies, such as Kansas and Missouri.
- Inspector training should be mandatory.
- We need more USDA inspectors.
- To add all persons, entities, etc. -- City pounds, animal shelters, humane shelters, etc. who have a job of housing pet animals required to meet standards.
- Should a regulated body regulate itself?

## **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

**3. Veterinary Care and Breeding, Washington, DC Apr. 10-11, 1996**

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### **3. WASHINGTON, DC SESSION: Veterinary Care and Breeding Frequency**

#### **Ground Rules**

Self-managed breaks

Focus on the situation or issue - not the individual

No quotes or attributions

Let everyone participate

Agree to disagree

#### **Process**

Day 1

Generate ideas (brainstorm)

Break into subgroups, Define issue, Discuss, Identify actions

Record on flipcharts, Report to breakout, Clarify, Feedback

Day 2

Clarify comments, Feedback

Break into subgroups, Incorporate feedback, Restate issue

Summarize actions and recommendations, report to breakout

#### **Purpose**

Give input to USDA for their process of reviewing the regulation.

Listen and gather information.

Identify key issues.

Come up with/recommend actions.

Identify common ground.

Identify "tough to resolve" issues.

#### **STRAW POLL: Questions Asked Verbally by Facilitator**

Want more regulations: 7

Want less regulations: 6

Remain the same: majority

Room for improvement: majority

No regulations for breeding frequency: majority

Want regulations for breeding frequency:

What is breeding frequency: Number of offspring a bitch has per year vs. number a kennel has per year.

Will these regulations be for everybody, or will they be for a particular subgroup?

Should there be a regulation for the minimum/maximum age of bitch?

Treat as a viable agency.

Require veterinary examination prior to breeding.  
Encourage USDA certification.  
Veterinary certification of the breeding animals.  
Establish education programs not regulations.  
What animals will these regulations be applied to?  
Less Bureaucracy.

## IDENTIFICATION OF ISSUES

Let veterinary care regulations alone.  
Leave between you and your veterinarian.  
USDA treats licensed facilities as a viable agriculture industry.  
Veterinary care/breeding frequency based on scientific/expert, existence of the evidence, and who is the expert.  
Veterinary care/breeding frequency based on scientific/expert evidence - ID the evidence and who's the expert.

1. Scientific study of pros and cons of breeding frequency
  - a. Identify who experts are - veterinarians? breeders?
  - b. Define expert time vs number of litters vs education.  
Bottom line: Producing best quality fit to go into pet home for life.  
Comments: Breeding frequency: Impacts health of bitch; health of pup.  
Mother Nature vs. breeder control.

What's problem - what's frequency? - Survey existing scientific data (problem; further study necessary).  
Methods of regulation.  
License anyone who sells dogs/cats as business (for profit) (over 3 intact females).  
Policy should be left to registries.  
Comments: Anyone who is in the pet industry should be covered by the same regulations.  
License everyone involved in pet care - hobby, show, pet store. Not enough VMO's to cover the territory as it is!!  
Having 3 bitches or 4 doesn't mean you will produce large (if any) number of pups.  
80% of pups produced yearly came from one-time breeding.  
Each breed has different number of pups. (Yorkies have only 1 or 2.)  
What is for profit (as base) and how do you ascertain profit.  
What is for profit (as business) and how do you ascertain profit.  
Comments:  
Profit or non-profit. It doesn't matter. We are concerned with animal welfare. It doesn't matter if you sell wholesale or retail. We are concerned with animal welfare.

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Uniform rules should apply to all animal raisers not just the licensed kennels.

Humane groups, show breeders, hunting dogs absolutely need to be licensed and inspected. This definitely should be a must.

Animal welfare regulations should be applied to any organization that handles the animal at any level: breeder, broker, shelter, pet shop, etc.

What is business vs hobby?

Are you going to come into my house and count the bitches - how will you know who to test.

What about puppy bitches?

Breeding frequency is different - each breed and veterinarians have differing opinions.

## PRIORITIZATION OF ISSUES

Numbers in bold print indicate the individual votes each issue received. Those issues listed without numbers indicate no votes given.

The veterinarian (private practice) is incorporated into team with USDA inspector and breeder. Humane care for animals should encompass anyone selling dogs unless it only involves 3 or less. All animals deserve the same care. If you regulate "commercial kennels," you need to regulate all. Discrimination - Is this even constitutional?

In order for fair treatment, all must be licensed.

Require veterinary exams prior to breeding and certification. Does this include Orthopedic Foundation for Animals (OFA)? (13)

Encourage USDA certification (8).

What animals will these regulations be applied to.

Include congenital defects in veterinary care program.

Ratio of staff to animals inspected.

All brokers should be bonded.

Let veterinary care regulations alone - leave between you and your veterinarian (33).

Subsidize forced breeding frequency limits - If production is cut.

Eliminate ability for veterinarian/dealer to be their own veterinarian of record.

Not a problem (other view).

Surgical procedures done by nonveterinarians.

What's the problem. Is it amendable via regulating? (5)

Less bureaucracy. (15)

Should there be a minimum/maximum age for breeding? (16)

USDA should treat licensed facilities as a viable agriculture industry. (26)

Ensure quality of product viability of genetic testing making it available. (8)

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Establishing veterinary care programs. (15)

Why do so many dogs get abandoned - why don't they stay in home of purchase.

Number of visits, duties, records of attending veterinarian.

Breeding needs to be defined (12).

Enforcement of current regulations in light of cuts in numbers - efficiency - given staffing (10).

Improve quality of life for breeding stock in professional breeding facilities (3).

Establish educational programs not regulations (5).

Veterinary care, breeding frequency -- base on scientific/expert evidence, identify this evidence, identify who is qualified (26).

Frequency of veterinary visits (13).

Is it covered by State boards. Who should regulate?

Definition of types of animals sold, spay/neutered animals and breeding animals.

Require veterinary exams prior to breeding and certification. Does this include OFA (13).

Encourage USDA certifications (8).

What animals will these regulations be applied to (3).

Include congenital defects in veterinary care program.

Ratio of staff to animals inspected (5).

All brokers should be bonded (1).

Let veterinary care regulations alone -- leave between you and your veterinarian (33).

Subsidize forced breeding frequency limits if production is cut (1).

Eliminate ability for veterinarian/dealer to be their own veterinarian of record (1).

Not a problem (other view).

Surgical procedures done by non-veterinarians (5).

What's the problem. Is it amendable via regulation (5).

Less bureaucracy (15).

Control breeding frequency and why - what do we mean - per bitch? per kennel? Define issue (25).

Should there be a minimum/maximum age for breeding (16)?

USDA should treat licensed facilities as a viable agriculture industry (26).

Ensure quality of product. Viability of genetic testing -- imaging it if available (8).

Establishing veterinary care programs (15).

Why do so many dogs get abandoned -- why don't they stay in home of purchase (12).

Number of visits, duties, records of attending veterinarian (5).

Free enterprise is impeded by controlling breeding frequency (16).

Enforcement - Develop a consistent approach to enforcing (23).

Should dealers be required to keep their written programs of veterinary care on file with USDA (4).

Permanent identification of animals (2).

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"Lemon" law against breeder for known genetic defects (1).

License anyone who sells dogs/cats as business (for profit?) (over 3 intact females) (30).

Comment: How can you do this given current staff levels?

Paperwork - AKC records should accompany the dog affected by spay/neutering policies.

## DISCUSSION AND DEVELOPMENT OF PRIORITY ISSUES/PROPOSALS

**Issue: Let Veterinarian Care Regulations Alone. Leave Between You and Your Veterinarian.**

Comments:

- Pull USDA out of the States with workable programs so the inspectors can concentrate on other problem areas.
- Good idea!!
- Our current veterinarian, client relationship under current rules is enough.
- Leave as is.
- Veterinary care should be between you and your veterinarian.
- Back off!
- Breeder and their veterinarian usually work on a one-to-one basis and get along fine.

**Issue : Standardized veterinary program. Need to know what USDA expects of veterinarians, i.e., number of visits, vaccination schedule.**

Comments:

- Veterinarian should determine best program for kennel.
- Each veterinarian has different ideas and ways. None is right or wrong.
- Yes.
- Veterinarian needs to review veterinary care plan at kennel to see if changes should be made. Veterinarian needs to go to kennel.
- If I haven't bitches, is the veterinarian coming out to inspect? Give me a break.
- We (licensed kennel breeders) already have a program of veterinary care.
- Standardize one veterinarian visit at a predetermined age of the dog's life that will cover all aspects of the quality of its and its offspring's lives.

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**Issue : Veterinary care program should be approved by USDA. Hands-on exam by inspector.**

**Comments:**

- Leave veterinary care as is now with USDA and no inspection.
- We need a national tracking system for animal companion health similar to the system used for livestock.
- USDA inspector approves plan now. Sees animals and how plan works for kennel to ensure healthy animals.
- The doctor knows best for the animal that are in his/her care.
- Each animal is individual -- can't treat all like one. Veterinarian/client relationship must remain intact/flexible to needs of individual animals and humans who care for them. Can't enforce the huge body of regulations this would create!
- Would be very favorable to a system that rewarded merit and quality of kennels that are always above the standard; just as minimum should not be rewarded unless striving to improve with working plan to progress up the improvement ladder.
- Who'll supply the puppies for the demand. Supply can't keep up now!
- What constitutes responsible breeding is subjective. A breeding program including regular veterinarian involvement would address the case-by-case decision making re: animals' condition.
- We've been promised less Government regulations. Why all this anyway?
- Veterinary care must be a regular part of breeding program.
- If you only have 73 inspectors, how will you research all the different breeds to find out what's best for them?
- If you cut production, subsidize.
- If profit motive is all you care about (with health of dogs for lifetime a secondary factor), you should breed chickens -- not dogs!

**Issue : What constitutes adequate medical records?**

Important for USDA to be sure to prove animals are getting adequate veterinary care. All treatments should be recorded/veterinarian should record treatment given possibility of veterinary technicians under the employ of attending veterinarian doing kennel inspections.

**Comments:**

- Specify what are adequate medical records in the regulations.
- If you are good, you will utilize a veterinarian fully, and that will be record enough.
- Could a system be used such as a human health system uses to inspect the hospitals' work?

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(Joint Commission of Accreditation of Hospitals inspects excellent facilities every 3 years - minimum standard every year.) Savings include manpower, \$, ability to focus on the worst.

- Too much emphasis on record keeping -- not enough on animal health.
- Proper record keeping is an important part of veterinary care.
- Attending veterinarian should conduct thorough evaluation of each animal on a regular basis. "Phone" exams are not acceptable.
- Check sheet of each day's observations is easily placed in door card area of each run -- such items as "eyes dry," nose moist, appetite good - or bad - or stool consistency - with sanitizing and cleaning schedule at the bottom. This is an easy way to record observations. Keep.
- Tracking can be achieved by permanent ID (tattoo or chip).
- Include the keeping of medical records in the regulations under veterinary care.
- The breeders breeding from disease-free animals can be proud of their product. Those who do not should be held accountable, or it's consumer beware!
- Use the expert in the industry to help with education. Work together to make breeder more knowledgeable.
- Each animal's metabolism varies within species and breed.  
Then each individual's metabolism is set by its own internal "clock" -- emotion, state of health, etc. -- all affect. How to measure?

#### **Issue: Enforcement - Develop a consistent approach to enforcement.**

Develop a definitive criteria (established by?) for inspection frequency depending on previous inspection protocol.

Heard that Regions have different standards. What is "above average?" Where do you draw the line? Certification?

All inspectors different -- difference in personality?

Intentions right on paper. Don't get sidetracked. Stick to the rules. Is this because regulations are vague?

#### Comments:

- Do not have different enforcement standards for class A & B dealers and for research. Research held to higher standards.
- Government has vowed to do better. Let them do it.
- Why pass more regulations when you are unable to fully enforce what is now on the books?
- Enforce current USDA rules.
- Take care of bad ones. The good ones will do good whether you inspect or not.
- Do not try to pass regulation to punish all when only a few are at fault. Go after the bad

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guys and get them.

- Enforce regulations as written and put the violators out of business. Punish USDA Inspectors who have falsified records.
- Cut Federal regulation -- or keep same as have. Cooperate with and don't duplicate the State mandated laws. Make maximum use of our tax \$ and our resources, USDA.
- Educate Veterinary Medical Officers. They do not receive enough training about what they inspect.

**Issue: Re-evaluation of inspectors annually in addition to established criteria.**

Numbers of inspectors. Look at joint programs with State, USDA, FDA, State veterinary agencies, etc. Should be in agreement with what they are enforcing.

National training held recently at Animal Care Headquarters. What was emphasis at training for inspectors? What was accomplished at training. Public should know. Isolation.

Efficient use of inspector's time. Time and gas wasted on missed visits. Maybe a short period of notice (example: 1 hour) can be given? But what about public confidence and perception?

Comments:

- Educational seminars a must.
- Help people meet the regulations before you punish. If then they fail, punish severely.
- A merit system should be devised whereby compliant facilities are recognized. In turn, they could use this in a positive way to market their animals.
- If you can't enforce the license holders now, how could you possibly expand?
- Brokers (all of them) in order to get a brokers' license should have to get like a class D license and be bonded. It's too easy to get a dealer's license.
- Enforcement of current regulations needed. The frequency of breeding should be between breeder and veterinarian, as each individual is different.
- Would "risk assessment sheet" idea developed. Merit should regulate frequency of inspection, when budget is limited and resources need to be maximized.
- There is nothing wrong with the regulations in the Animal Welfare Act. They need to be enforced more rigorously. Every breeder should be responsible for all. Breed for life!
- Make regulations more easily read (i.e., formula for housing size and kennel runs). Very confusing to use vague or difficult and cumbersome regulations.
- Develop a grading system to go after the "bad apples" and leave the good ones alone.
- Equal enforcement of current regulations.
- Inspectors should be trained to be consistent in their review of a facility no matter what type of license is held.

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**Issue: Cooperation between Federal and State inspectors and American Association for Accreditation of Laboratory Animal Care (AAALAC) universal standards.**

Regulations are hard to understand. Clarify them so it is easier to comply with them.

Establish a training program for prospective breeders (a criteria for license).

Establish speedy adjudication process and follow-up.

Education-- increase it and continue it where it exists.

Establish an inspection protocol.

Careful discussion of partnership and objectives.

**Comments:**

- USDA inspectors need to be re-evaluated yearly by their superiors. Texas and Washington USDA need to get on same track. There's only one book of Federal regulations.
- Consistency works best in all things. Treat all the same so all know what the standard is and how to prepare for and maintain business by standards for industry.
- Use common sense to develop regulations and enforce.
- Breeders must conform with all regulations if they are to stay in business.
- If you see and evaluate animals each time you care for them, you will become knowledgeable in time with changes in metabolism, "off feed," emotional distress - very obvious when caring for same animals and knowing them every day. Don't expect veterinarian/inspector to see changes.
- Industry is working toward better "self-policy" -- Keep current regulations but encourage self-regulation within current regulations by rewarding exceptionally good facilities.
- Get rid of bad.
- We need the respect of the inspector by letting us know the night before he is coming. It would save a lot of tax dollars.
- We need a one-to-one with the inspector instead of belittling us every step of the way. A little compliment would go a long way.
- USDA should have a good certification and educational program.
- Government is making an honest effort and will do better. Let's give them a break and let them continue!
- Uniform education and certification of USDA inspectors would be helpful in standardizing inspections.
- A merit system should be devised whereby compliant facilities are recognized. In turn, they could use this in a positive way to market their animals.
- Education seminars a must.
- USDA inspector should call morning of inspection. A trained inspector should be able to tell if it is a well maintained kennel.

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**Issue: Veterinary care/breeding frequency based on scientific/expert evidence. Identify the evidence and who is the expert.**

Scientific study of pros and cons of breeding frequency:

- a. Identify who experts are -- veterinarians? breeders?
- b. Define expert time vs. number of litters vs. education.

Bottom line - producing best quality fit to go into pet home for life.

Breeding frequency - impacts health of bitch, health of pup.

Mother Nature vs. breeder control:

What's problem?

What's frequency?

Survey existing scientific data

Methods of regulation

1) problem?

2) further study necessary?

Comments:

- Implement protocols which prohibit the production of congenital defects.
- Incentives now in place within industry to encourage OFA certification, etc. Public can get written guarantee on genetic concerns. I give one for 1 year on pups - 1 year from purchase on most adults. Return policy?? \$ compensation.

**Issue: If Government mandates breeding frequency, loss of income should be subsidized.**

USDA work with groups for scientific evidence in supporting/not supporting regulations.  
Education, not regulation. License everyone involved in animal care.

Comments:

- If USDA begins to regulate breeding frequency, then what plans would Government implement to replace loss of income that would result? Leave it to supply and demand.
- What about pet homes? They are involved in animal care.
- All categories of pet breeder in business for profit having three intact bitches/queens should be licensed. Yes, enforce current regulations.
- You want USDA to come into my house and count the dogs on my bed?
- Breeding should be left to the animal and the breeder. If you are concerned, educate the breeders in low cost seminars.
- The Government has enough to do. Controlling body functions in our dogs is out of their control.
- Should subsidize if they stop production and thus my livelihood.

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- Yes!
- No!
- Breeding frequency should not be regulated.
- Important for everyone.
- If I can't breed my female on a regular basis, I expect to be compensated for the time I can't breed her.
- Educate breeders to what has been proven to be the best process to raise and sell their product.
- It should be education along with regulations!
- Great idea but where will the money come from?
- Government does not have a say in cattle and hog breeding. Why should they in dog and cat industry?
- We breeders are on call 24 hours a day. If needed, we are there.
- Constitution gives us the right of free enterprise — to run a business -- a kennel.
- We would not be able to feed non-productive dogs if not subsidized.
- Surely our Government can find better use for their time. Abandoned children for instance!

**Per Animal**

- Let nature take its course.  
Data - DVM data suggest it is better for the bitch to control the process.
- Ensure bitches conditions.
- Economics.
- Variations across breeds.
- Variations within breeds.
- Variations in litter size.
- Minimum age varies with breed
- Optimal care to breeding animals.

**Per Kennel**

- Define ability to provide responsible care.  
(Comment: Breeding as births?)  
Relate inspections on topic to:
  - Health of animal
  - Environment in which they are kept.  
If done, frequency as an issue goes away.

**Issue: USDA treats licensed facilities as a viable agriculture industry.**

Dogs are companion animals not livestock. Dogs are not agricultural activity.  
Government should not subsidize any business. True free enterprise does not exist. All are regulated.

Product for which demand does not always exist.  
Licensing fees based on produce. AWA to be self-funding.

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Comments:

- It was not claimed that dogs were livestock. The point is licensed facilities are part of a huge industry.
- Your industry promotes (and makes a profit from) the idea that animals are companions -- so why don't you treat them like companions yourselves?
- It's time animal rights activists revealed their real desire. No females bred, no puppies raised, no puppy industry. That's their real agenda.
- Use common sense.
- The animal groups are the "Teamsters Union" for the animals treated like factory workers.
- What's wrong with factory workers?
- These are jobs for American people. Why would you want to destroy them?
- This is a government of the people, for the people. Leave our jobs alone.
- There is a demand for the purebred dog or cat.
- Dogs do not have the same rights as man.
- If breeding were left to the animal, would she confine herself to a cage and breed every cycle?
- When the public requests, you don't force us to fund the program public wants. Public pays.
- We don't make the dogs breed.
- As always, some people want to punish everyone for the bad conduct of a few. Ninety-nine percent of breeders care for their animals and want to get rid of the few "bad apples."
- Not all breeders are bad. Most are great. They love and take care of their animals. Why not try to help instead of destroy?
- Our dogs are treated better than most people are.
- I agree! They are companions - not food.
- If the public wants this, you pay for it.
- The government is not expected to compensate an industry because workers can only be required to work 8 hours.
- If you get rid of breeders, who will you get animals from? Or are you against having them at all?
- Can't afford to treat myself as well as my dogs and cats.
- Supply and demand. Control what the commercial industry produces.
- Fine. We'll continue to educate public to not demand it.
- Animals are not above normal people - only the humaniacs.
- Breeders must decide whether they are selling dogs or things. Dogs are living, breathing, feeling entities, and are not farm commodities like corn and soybeans.

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Separate Comments: Against Regulation

Let the dogs decide when, where, and IF.

The female animal knows if she is healthy enough to breed again; if not, she will skip a cycle. Breeders do NOT control whether or not a female WILL breed. This is mother nature's decision. We the breeders know more about that animal than the veterinarian ever could, healthwise and everything else.

Government has enough to do. This is not their domain.

Why does nature regulate the breeding of all other animals and humans, but we must have the government to regulate the breeding of dogs.

Whether in a cage or running free, a female WILL NOT BREED if she is not able. "Skip a cycle."

Different breeds of dogs have different cycle lengths. How can you specify a time between cycles?

Veterinarians come to our educational seminars, give breeding information, newborn care information, vaccination information. So we, as pet professionals, can have the knowledge. We're the experts in the field of care of our kennel.

The government need not get involved in this.

Breeding frequency should be left to the dog owner and his veterinarian and nature.

Frequency of breeding is determined by the female animal itself and no human intervention can change this.

Each dog regulates her own self, nature and God work hand in hand.

If you insist on scientific evidence, there is certainly a great deal of evidence which shows SPAYING is appropriate for a pet's health!

The experts are those people who have the reliant recognized experience on the subject matter. This would include veterinarians, animal behaviorists, etc.

Do not rely on veterinarian OR breeders as experts. Form a committee composed of veterinarians and breeders and officials with equal representation.

Breeding dogs are happy, bred when ready, and should be left alone.

Keep the government out of breeding, spaying, and neutering.

The professional breeder is the expert on animal health; we live with these animals 24 hours a day.

The majority of the scientific data on animal husbandry agree that holding an animal from breeding is detrimental to its health.

My Grandma had 17 kids. Started at 16 years of age, one every two years on. The last one was born when she was 49. She died last February at 98 years old. She was spry, happy, healthy. Mother Nature took care of her.

AKC regulations already set limits on breeding ages of dogs.

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With hundreds of different breeds, how could a regulation be drafted to encompass all? What may be good for one, could be dangerous for the others.

No real factual evidence that regulating breeding frequency will have any effect on populations of abandoned animals, as purebreds are usually more expensive and taken better care of.

It is to the breeder's benefit to keep his breeding female in good health. The breeder should regulate his own breeding program.

Breeding frequency studies HAVE been conducted and have been published in peer reviewed journals. "Feline Husbandry" by Dr. Niels Pederson.

USDA should not regulate breeding frequency. No other animal has ever been regulated.

In the wild (wolves, etc.), they only come in season once a year.

You can't stop breeding without separation. Isn't that against nature?

The female animal knows when she can or cannot breed.

Leave the rights of the bitch dog the same as women's rights - ALONE!

Leave breeding to the discretion of the bitch!

Veterinary care should be provided by an attending veterinarian who is not the dealer nor a paid employee of the dealer/broker.

Let the owner determine frequency of his own bitches. He will know what's best.

I get so confused, do we still live in America where we can make our own decisions, or are we going to repeat the big Government control mistake the Soviets just ditched!

This issue should be left to the animal and the breeder.

Less Government interference - not more! Wasn't that the promise of every political candidate from the President on down? Please remember!

Forced separation causes the female to gain weight.

There are hundreds of different breeds. How could you draft regulation to encompass all? What may be OK for me can be detrimental to the health of another.

Leave the breeding frequency of female dogs to the breeder and mother nature.

This should not be regulated.

Let mother nature take its course.

The Government should not get involved in this!

You cannot make a blanket regulation on the frequency of breeding that will cover over 100 different breeds of dogs, i.e., different in size, different in number in litter, frequency of seasons.

Since number of dogs (and cats) in kennels vary, as in any business - feel strongly should leave issue of breeding frequency to be determined, but by each animal - not by kennel.

**Issue: Establish a standardized veterinary care program including:**

1. Define veterinarian/client relationship, "visit."

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2. Specific guidelines, i.e., what is an acceptable number of visits? But veterinarian/client relationship needs to remain flexible. Can't regulate all aspects of veterinary care.

## **FINAL OUTLINE OF ISSUES WITH COMMENTS AS WRITTEN BY GROUPS**

### **Sanitation Requirements**

Problem: Lax interpretation of existing sanitation/cleaning guidelines.

Action: Better define cleaning requirements, i.e. -floor slope adequate to allow for proper drainage to prevent cross contamination, floor dry before animals go back in, frequency of cleaning.

Action: In accordance with USDA guidelines, create a sanitation standard operating procedure (SOP) for each kennel. This allows for flexibility for each kennel, and takes into account structural differences. SOP could be standard: form that details type of cleaners, frequency, application methods, etc. This would be part of USDA file maintained at kennel. SOP approved by inspector/veterinarian.

Action: Better education of inspectors by USDA. Better education of licensees by inspector, i.e.: One-on-one counseling; seminars; USDA newsletter.

Comments: - This is just more paper work.

- Newsletter business. It's your business. It's up to you to learn what's available.
- Materials used must be able to be sanitized.
- There are universal sanitation requirements that can be recommended.
  
- Cleaning should be regulated to be done once a day.
- There has to be a minimum cleaning/sanitation requirement. Can't leave it up to dealer.
- Materials should be able to be sanitized.

### **Consider Us A Viable Industry**

1. Communicate with State and National organizations to promote common goals.
  - a. Assist in organizing to discuss solutions to differences in opinions regarding the direction the industry should take (i.e., overpopulation, substandard facilities).
  - b. Improve enforcement of existing regulations without creating new regulations.
  - c. Work with Federal and State agencies, local law enforcement agencies, humane associations, and National and State industry groups.

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2. Education not legislation.
  - a. Work with National and State organizations to promote education.
  - b. Cooperate with the commercial industry to do scientific and marketing studies to distinguish between actual and perceived problems. Don't make changes based on speculation or propaganda or emotion.
  - c. Disseminate information for the benefit of all concerned.
  - d. Provide information that results from studies to the commercial industry to help them improve their quality and income.
3. Cooperate with the commercial industry to help eliminate substandard facilities.
  - a. Give credit to the industry when they assist in the rescue of mistreated animals.
  - b. Help monitor press and identify substandard facilities as the minority.
  - c. Identify the source of unwanted animals to help in the solution of overpopulation.
    1. There is a demand for purebred animals produced by professional breeders.
    2. Educate consumers and retailers on the benefit of spay/neutering.
  - d. Improve the enforcement of existing regulations without creating new regulations.

Comments:

- Companion animals may help society but it's society's responsibility to help and protect them.
- Breeders should be assisted by USDA in filing lawsuits against any one or any organization who files an unfounded complaint.
- Make it worthwhile to operate a quality kennel - USDA gives seals of approval to beef carcasses, why not kennels?
- I agree 1,000%. More representatives without compliance are useless. It may make the public feel that "something is being done," but those who care long-term about the animals receiving decent care know better.
- Very good!
- Put together excellent! Looking positive - that's good!
  
- Require all facilities with 5 or more females to be licensed.
- Shouldn't just be up to USDA and operator to set standard operating procedures - need other input from external sources.
- Need to make sure standard operating procedures are not subjective.

4. If breeding frequency is monitored, treat the pet industry like other agricultural programs.
  - a. Make participation voluntary.
  - b. Subsidize producer participating in program.
  - c. Due to the many breeds of animals, regulations should differentiate between the needs of a small breed compared to a large breed.
  - d. Subsidization could be funded by the animal rights organizations by using the millions

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they presently have in reserve for lobbying efforts to mandate Government regulated breeding frequency.

- e. If Government regulates the breeding of dogs and cats, it sets a dangerous precedent (where will it end - with cows, hogs, or children.)
- f. If Government regulates only licensed facilities, it would be discrimination unless they also regulate hobby/show breeders and others who presently avoid regulations.
- g. Government should not allow a minority section of the population that does not eat meat, drink milk, wear leather, or have pets force their beliefs or religion on the rest of the population or effect rules or regulations to harm or eliminate agricultural industries.

5. Recognize that animals produced by our industry contribute to society.

- a. They assist in helping the blind and deaf citizens become more independent.
- b. Benefit individuals with health problems (e.g., epilepsy, asthma, autism).
- c. Recognize the human-animal bond.
  - 1. Dogs are not agricultural activity.
  - 2. No females bred. No puppies raised. No puppy industry. This is the real agenda.
  - 3. If breeding were left to the animal, would she breed every time?
  - 4. Animal groups are the "Teamsters Union" for the animals treated like factory workers.

6. Your industry promotes and makes a profit from the idea that animals are companions. So why don't you treat them like companions yourselves.

7. Dogs live and breathe. They are not corn and soybeans.

Comments:

- Dogs are animals - not little humans.
- Goats, cattle, and pigs are considered as agriculture products. They live and breathe the same as cats and dogs. So why not classify all nonhuman mammals as agriculture?
- Everyone should be knowledgeable that the puppy industry is being "propagandized" to build membership and treasures of animal rights' groups.
- Finally the real truth has been spoken!
- Very true!
- It's about time someone said it!
- Well said!
- Surely once a year inspections aren't too many.
- Breeding females should have pre-breeding veterinary exam.
- Who spends donations on salaries way above average and for propaganda promotions. Only a minute portion is going to the care of the animals. Wake up America!
- Whose main goal is, "People will not eat meat!!" Then what will happen to the cattle and hog industries when treasures and memberships are gained. How is it providing real animal welfare? Not animal rights groups.

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- USDA should stop trying to force common ground between animal welfare and breeding for profit.
- Why should breeders be subsidized for protecting animals and following the law - the Animal Welfare Act?
- Animal is customer not breeder.
- Breeding frequency is related to humane treatment and, therefore, is properly regulated under the Act.
- What about the millions made by the pet industry.
- The pet industry as a whole does not have millions in a fund.
- Companion animals should not be treated as cash crops!
- Other agricultural industries aren't regulated the same way because of the Animal Welfare Act and what it requires.
- Breeding frequency should be evaluated between the breeder and their veterinarians.
- I think the excellent turnout of commercial breeders, brokers, etc. shows we can and will control our destiny - not HSUS.
- We as professional breeders have spent a lot of time and money to respond to the one-sided views HSUS imposed on USDA.
- Listen to those who do it not to those who preach.
- It is USDA's responsibility to enforce the Animal Welfare Act. If limiting breeding frequency addresses this, then it is appropriate.
- Yes, they are.

#### **Enforcement - Develop a Consistent Approach**

1. Inspectors:
  - a. Training, retraining, certification.
  - b. Annual re-evaluation by USDA supervisor.
  - c. Criteria for conduct of inspectors during inspection.
  - d. Efficient use of inspector's time.
  - e. Compliment and encourage quality licensee.
2. Inspections:
  - a. Frequency - less frequent for nonviolators.
  - b. Protocol to follow - utilize "risk assessment sheets."
  - c. Partnerships - who inspects, their qualifications.
  - d. Establish criteria to determine frequency of inspections.
  - e. Consistency between inspectors.

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- f. Explore the development of a Committee, similar to Institutional Animal Care and Use Committee (IACUC-research) for commercial licensee.
3. Co-ordination - Communication
  - a. Between agencies.
  - b. Between USDA inspector and super visor.
  - c. Memoranda of understanding between agencies needs to be communicated to inspectors.
  - d. All communications in a timely manner.
  - e. Clarify regulations, expectations. Make "user friendly."
4. Prosecute to eliminate substandard breeders, etc.
  - a. Broker but only from licensed breeder - require all brokers to be bonded.
  - b. Empower Veterinary Medical Officers, AC, or AC Regional Director to intercede in timely manner for welfare of animals up to and including suspension of license. (Speed up the process.)
  - c. Inspectors should spend more time on frequent violators - Inspect more often.
5. Breeders:
  - a. Education/training to become a certified breeder.
  - b. Continuing education - keep current in all areas of animal welfare.
  - c. Medical records of animal available to purchaser/inspector.
6. Changes (some disagree):
  - a. Standards of breed to accompany each animal.
  - b. Brokers, illegal to buy from unlicensed breeders.

**Comments:**

- Enforce what USDA already has and utilize the documentation that breeders, etc. already provide.
- USDA must enforce the Animal Welfare Act not the Breeder Welfare Act.
- In USDA's desire to work with breeders, don't forget the animals.
- Regulations should say that program of veterinary care is required to be sent to USDA and kept in USDA files.
- If breeder is required to have program of veterinary care form on hand, why duplicate in USDA files?
- Keep partnerships out of State and Federal laws. Makes more confusing for everyone.
- (1) Very good!! (2) Excellent! (3) Good!
- Education idea is great!

### Government Should Regulate Breeding Frequency

1. Give inspectors tools/power to enforce.
2. Veterinarians should be an integral part of breeding frequency decisions.
3. Where is the scientific data to back up the "mother nature" idea?
4. Non-registered dogs are not protected by guidelines.
5. Breeding frequency relates to animals' welfare.
6. Many breeders are NOT responsible.
7. AWA does not cover breeders other than commercial (like backyard breeders/hobbyists, etc.).
8. Standards like minimum/maximum age should be set.
9. Breeding frequency related to some genetic problems in offspring. Breeding frequency issues should be guided by research.
10. Breeding frequency - Government should not regulate:
  - a. What's good for one breed many not be good for all.
  - b. Government should not be involved.
  - c. Talking about commercial, show, hobbyist - we must be able to distinguish.
  - d. Any regulation would have to be applied fairly.
  - e. Some breeders are responsible and can monitor better and really care about animals..
  - f. Don't regulate these - we don't regulate other animal breeding.
  - g. Mother nature and the marketplace can handle this.
  - h. Rely on scientific research.
  - i. Why more rules - enforce what you have.
  - j. AKC already has min/max age requirements.
  - k. No evidence that breeding frequency controls have any affect on abandoned animal populations.

#### Comments:

- Listen to those who do and not to those who preach. Agree!
- Show me diverse proof!
- Not one single group is an expert. Expertise should be a cooperation of all diverse interests.
- And then humans? Yes.
- Breeding frequency was not an issue before this public meeting. There is no proven need for regulations concerning breeding frequency. Don't change this now.
- Limiting number of litters a bitch can produce will result in a large number of good mid-age dogs that will have to be dealt with in some way.
- Show me diverse proof! I haven't seen any in this meeting.
- The number of breeds and types of breeds are far too diverse to set one regulation on breeding frequency or min/max age.

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- All breeders, kennels, or care facilities of animals should be USDA licensed, i.e., hobby breeders, show breeders, animal shelters, commercial breeders, etc.

**Research**

Through grants and veterinary colleges.

Good, i.e., scientific method.

Science helps to guide this whether or not you want Government intervention.

Do research before changing any regulations.

Get input from diverse views - equal representation.

We don't need any scientific studies.

**Comments:**

- Sanitation program should be standardized, not individualized for each facility.
- USDA should conduct scientific research before changing, adding, or deleting any regulation. The first amendment of the U.S. Constitution demands equal representation with the scope of the study.
- We don't need any more scientific studies.
- Research needs are different from dealers - research wants to breed dogs with genetic problems.
- Any scientific data used should reflect "field conditions" (found at these facilities).
- Scientific studies may be "scientifically" done, but do not address breeders' problems.
- There is no data to change regulations.
- Need scientific data before this is changed. Leave this in the hands of those who have expertise.

**Concerns About Current Veterinary Care Regulations**

1. Some felt current regulations are fine. Others felt more specific guidelines are needed on topics such as the manager client relationship (definition), duties of the veterinarian and dealer, the acceptable number of visits, a vaccination schedule, minimum standards of care, general requirements of attending veterinarian, responsibilities, and whether veterinary technicians may perform visits/inspections in lieu of the veterinarian (under their supervision and direction.)
2. Veterinary records:
  - \* Need more specific guidelines about what needs to be included, i.e., format for records. When are records needed? For sick animals only? Consensus that we need. More specificity about what constitutes "adequate" records.

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- \* Medical records should be kept for each animal. These records should follow the animal, puppies included.
- \* Records should include identification of animal; dates of observations; symptoms, signs, diagnosis; any treatment given, interaction with veterinarian.
- \* Changes in condition and resolution of problem.
- \* What would constitute adequate medical records for chronic health problems - not diagnosis and management plan.
- \* Length of time dealer is required to keep medical records - sufficient? Clearer in regulations that medical records should be held.

3. Education program. Industry experts can help with education - make breeders more knowledgeable. Industry certification rating system. Minimum requirements before USDA licensing?
4. Disagree about prohibiting dealer/veterinarian from functioning as own attending veterinarian.
5. How can we enforce returning care requirement more effectively?
6. Disagree about whether or not to require written program of veterinary care to be on file at USDA, not just at facility. Useful for veterinarian to approve plan - inspector may not be a veterinarian. However, it's hard for someone to approve a plan on paper without seeing facility, etc.

Comments:

- Create advisory boards with representatives from all animal welfare organizations.
- Require more for animals than for people -- how silly.
- Would like specific guidelines for frequency of veterinarian's visits in kennel. Some kind of number of animal graph/vs. time frame for veterinary visits perhaps? (using current regulations - just clarify?)
- There must be a limit on paper work.
- One whole record for 1 dose of Pepto is a little ridiculous.
- Licensees may claim sick animals are receiving care. Written records will document this. This is a common problem when sick animals are identified.
- Should be required for vaccinations only - Just like children's health records.
- I can't take care of my dogs if overburdened with unnecessary paper work.
- Veterinarian should keep the records.
- Would be very favorable to system that showed merit - quality, to kennels that are always above standard, not just by minimum, i.e., point system or less frequent inspection as Joint Commission Hospital does their inspections at hospitals.

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- As breeder, even small, think a written record of veterinarian/client understanding necessary and must be in place in kennel and veterinarian's office. Should be signed by both and reviewed as yearly inspection done. Can just be renewed if no changes needed.
- Enforce what you have and utilize the documentation already provided.
- Too much paper work!
- This is filed where it is available to USDA Inspector who is the responsible party for this information.

**License Anyone Who Sells Dogs/Cats as Business (For Profit) (Over Three Intact Females)**

- \* Policing should be left to registries.
- \* Having 3 bitches or 4 doesn't mean you will produce large (if any) numbers of pups.
- \* Eighty percent of pups produced yearly come from one-time breedings.
- \* Each breed has different number of pups (Yorkies have only 1 or 2).
- \* What is for profit (as business), and how do you ascertain profit?
- \* What is business? vs. hobby?
- \* Are you going to come into my house and count the bitches - how will you know who is intact?
- \* What about puppy bitches?
- \* Breeding frequency is different for each breed and veterinarians have differing opinions.
- \* Hobby breeders have contact with buyer and dogs that would otherwise be abandoned, find new homes.
- \* Some veterinarians say it is detrimental for a bitch to have a false pregnancy.
- \* Yorkies have small litters; other breeds have larger breeds.
- \* Some breeds live to be 6 years, others live to be 16+ years. All of this has to be taken into consideration.
- \* Age of sexual maturity differs with breed.
- \* Aggressively enforce current regulations.
- \* Breeding stock are our own pets.
- \* How/hobby help buyer.
- \* If you can't enforce the commercial breeders now - how can you enforce everyone else?
- \* Registries already have limited breeding registration.
- \* Education not legislation.

Comments:

- Legislators visit a kennel or visit our homes.
- If you haven't walked in our shoes, keep out of our business. We love and take care of our dogs.

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- Federal law to apply to all involved. If you breed and sell product, you are involved - show, pet, wholesaler.
- Federal law has no jurisdiction for this -- the Animal Welfare Act only applies to animals in commerce.
- Must governments invade every aspect of our lives and businesses. We should be able to think and act for ourselves.
- Don't make more regulations when you can't enforce the ones you have!
- Buyer of animal can communicate with commercial breeder. Reputable breeders do back their animals unless the problem arises due to conditions beyond the breeders' control.
- Visit a dog show.
- More education not legislation is needed in the industry.
- USDA should stand behind the USDA.
- Licensee that supports their rules and regulations.
- Yes!
- Regulations are enforced.
- Present regulations are sufficient.
- Missouri Pet Breeders are trying to find a workable method to accumulate merit points/merit credit for seminar attendance each spring/fall. Credit for these educational seminars. Should this be given by USDA? by AKC? Who regulates? Who maintains?

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

4. Transportation, Washington, DC Apr. 10-11, 1996

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### 4. WASHINGTON, DC SESSION: Transportation by Land and By Air

#### Purpose

Give input to USDA for their process of reviewing the regulations.

Listen and gather information.

I.D. Key Issues

Come up with recommended actions.

I.D. common ground.

I.D. "tough to resolve" issues.

#### Ground Rules

Self-managed breaks.

Agree to disagree.

Everyone has a chance to participate.

No quotes or attributes in reports.

Focus on issues not positions.

#### Process

##### Day 1

Generate ideas

Subgroups

Define issue

Discuss

Identify actions/recommendations

Record on flip charts

Report to breakout group

Clarify

Feedback

##### Day 2

Incorporate feedback

Report to breakout

Return to large group (for reports)

Identification of Key Issues

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1. Clarify temperature regulations..
2. Collect data re: mortality, losses, accidents, (air travel), report data to USDA.
3. Health certificates - one for all animals that are transported by air.
4. Mandatory crew notification.
5. Immediate crew access on ground to cargo hold when passenger bumped. (Keep animal with owner emergency access.)
6. Airline personnel should not have to be police - where is owner's responsibility?
7. Clarify regulations for ground transportation - careful inspection of vehicles.
8. Clarify and strengthen temperature, humidity regulations for ground transportation.
9. Establish agreed upon standards and eliminate exceptions.
10. Where is empowerment (enforcement).
11. Where is customer service (enforcement).
12. Training for all airline personnel - including reservationists, travel agents.
13. Need flexibility in acclimation issue and assurance of humane care.
14. Method of providing shipper technical information re: aircraft.
15. Suitability and non-suitability of cargo holds (ventilation, temperature control).
16. Eliminate certificate of acclimation and replace w/waiver.
17. Training of ground transport personnel.
18. Who is USDA investigating?

What is the purpose?

To ship safely and humanely and still be able to ship.  
[The participants then grouped topics under three key headings.]

#### **Acclimation**

1. Clarify temperature regulations.
8. Clarify and strengthen temperature, humidity regulations for ground transportation.
9. Establish agreed upon standards and eliminate exceptions.
13. Need flexibility in acclimation issue and assure humane care.
15. Suitability and non-suitability of cargo holds (ventilation, temperature control).
16. Eliminate certificate of acclimation and replace w/waiver.

#### **Enforcement**

2. Collect data re: mortality, losses, accidents, (air travel), report data to USDA.
3. Health certificates - one for all animals that are transported by air.
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7. Clarify regulations for ground transportation - careful inspection of vehicles.

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10. Where is empowerment (enforcement).
11. Where is customer service (enforcement).
18. Who is USDA investigating?

### **Training**

4. Mandatory crew notification.
5. Immediate crew access on ground to cargo hold when passenger bumped. (Keep animal with owner emergency access.)
12. Training for all airline personnel - including reservationists, travel agents.
14. Method of providing shipper technical information re: aircraft.
17. Training of ground transport personnel.

### **Enforcement**

1. Collection of data relating to losses, mortalities, or accidents.
  - a. Agreed to disagree whether a problem exists.
2. Health Certificates.
  - a. Already covered by regulations.
  - b. Enforcement problem (Office of Inspector General).
3. Airlines should not have to enforce regulations. Where is owners responsibility?
  - a. Empowerment problem.
  - b. Shipper to be responsible.
4. Careful inspection of vehicles.
  - a. Enforcement needed.
5. Where is customer service?
  - a. Allow inspectors some latitude in taking care of animal welfare in addressing deficiencies noted at an intermediate stop.
6. Who is USDA investigating?
  - a. Deficiencies should be noted to party responsible for the deficiency. Airlines, licensed, or registered parties.

### Data collection discussion:

There is no connection between the gathering of statistical data and the humane transport of animals.

The focus of the USDA is enforcement and training in transportation industries.

The scope of enforcement will have to be applied to all modes of transportation and be species specific.

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No substantiated evidence warrants the cost of developing systems on an industry-wide basis. A reporting mechanism currently exists within the USDA and other governmental agencies (i.e. 1-800.....); industry wide data collection would be duplication or effort.

Efforts of USDA should be directed towards education of the public sector to existing standards and available resources (i.e. display posters, public service announcements).

We're concerned that unwarranted legislation will result in alternative means of transportation under inhumane conditions.

Animals are dying, being injured, and lost during air transportation.

Each such incident should be reported to USDA.

Recordkeeping is done for lost and broken luggage. Should we do the same for live animals. When individuals witness improper handling or have a problem with the shipment of an animal, there should be a uniform form filled out and turned in to USDA. Often times people note poor handling that may not be their animals, such as incidents not being reported.

Every instance of mishandling, injury, death or less (temporary or permanent) is a potential violation of the Animal Welfare Act.

As a small humane group, we receive numerous complaints every year so we know there is a problem.

USDA should conduct necropsies to determine who is at fault. Since some airlines are doing necropsies themselves, a USDA veterinary inspector should participate.

The objective is to reduce/prevent injury/death during air transportation.

USDA annual reports should include information on animals transported, injured, DOA, lost. (See Section 25 of AWA.)

Records of the total # of animals shipped must be kept and reported to USDA. Without accurate statistics regarding the total population, statistics regarding the total number of problems (deaths, injuries, losses) are relatively useless.

By identifying problems and causes they can be addressed in an appropriate manner and hopefully prevented in the future.

**Additional Comments: Yellow post-it-notes.**

USDA could provide a form to airlines that would in turn be given to the person who has suffered loss of, injury to, death of animal(s); it is then their responsibility to provide the data to USDA (including post-mortem).

Until we have data, fears of problems may be greater than problem.

Mortality not defined -- death by:

over sedation

mishandling

Airlines probably have this data anyway - why are they fighting the "animal's report"?

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The problem hunt!  
Justifies one's job.

It is inconsistent for the airline industry to demand that passengers/public document that there is a problem with air transport of animals when the airline industry also opposes providing data on losses, mortalities, and accidents involving animals that occur on their airplanes. If they insist there is a problem: 1. let them prove it, 2. there should be no problem in providing data.

The only way to assess whether there is a problem is to have total deaths vs. total # of animals shipped.

Discussion:

Airlines denied there is a problem. If there is no problem, why has USDA prosecuted so many cases with success? How Many?? As a humane group, we know there is a problem because we receive numerous phone calls from people who have lost their pets during air transport. How many? All airline mortalities and missing animals are potential violations of the Act. As such, they should be reported to USDA so the Department can decide whether to pursue a case. Then do it! When animals die during transport, USDA should be conducting the necropsies, not the regulated entity. Congress determined there was enough of a problem and that animals should be provided AWA protection during transport. If any animals die, are injured, or lost, it is a problem. The issue is not how big a problem it is, but rather working to prevent it altogether.

Discussion:

Only by comparing the total # of animals shipped to the total # of animal fatalities and losses can an assessment of current compliance, by an individual carrier and/or by the entire airline industry in general, be determined. Without accurate figures on how many animals are being shipped by air, APHIS cannot determine the level of inspection services/staff/resources to assign inspectors to monitor the airlines. In addition, APHIS is currently lacking any accurate statistical information on this area of their responsibility in their annual report. The annual report, particularly notification to APHIS, AC in the event of an injury or fatality involving an animal, will provide APHIS, AC with a better understanding of the current rate of compliance with the AWA. Currently, there is no reporting system by registered carriers of companion animals that provides any information on the transportation of these animals. The only existing requirement for the carriers is the maintenance of COD guarantees: receipts, health certificates required for transportation. The requirement for better records on the part of those carriers that transport animals would mandate accountability on the part of those carriers. Thus improving the overall consistency and standards of the care and treatment of animals transported by air. Airlines would need to implement a computerized system that would track each animal checked

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in as cargo. At the ticketing desk, the agent would simply enter in a code or # identifying that "piece of cargo" as a live animal. The required veterinary certificates could also be used as a form of tracking and maintaining statistics on the number of animals carried.

Animals are lost, injured and killed on flights every year.

How many? How big is a problem?

If you saddle air carriers with a reporting system, we will get out of the business - that's a promise.

Are considerations for changes in regulations going to be based on the majority number of individual comments made?

Misguided focus: USDA's focus should be on enforcement and heightened training rather than mortality rates.

First determine how large problem is.

Statistics will only benefit the fund raising activities of HSUS.

It is in the airlines best interest to file an animal's report which provides accountability and gives idea of how large problem.

Airlines should have to be puppy police.

Airlines are responsible for complying with the law - the owners are paying for this service.

Many vehicles used by Class B dealers are never be inspected because they are in use. Only the unused vehicles are checked. The vehicles used the most are the ones that need to be checked.

All vehicles used by dealers should be inspected at some point perhaps by special arrangement.

USDA used to keep careful records.

It is unknown if there are any Federal Aviation Administration (FAA) regulations concerning immediate access to animals in cargo hold. If none, USDA should make this a requirement.

Unless found otherwise in regulations, immediate access to cargo hold should be mandated if airlines are going to offer animal transport services and be paid for transporting animals.

Airlines should be required to provide written regulations to shippers regarding transport requirements.

There are "bunchers" who collect from random collectors and truck these animals to collection points for lab sales, etc. There seems to be no regulations or attention to these carriers. The conditions on these trucks are foul. Can anything be done about this?

Why does the requirement of an annual report negate better enforcement? Both are necessary.

A USDA investigation needs to gather information to determine who is responsible for violation.

USDA does already collect data on other industries. Dealers and research facilities submit annual reports with this data.

The 800# should be supplied to every person who transports animals and everyone who flies. As a frequent traveler, I have never seen a poster with USDA's 800 number.

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Transporters should be mandated to submit total animals covered by AWA that are shipped yearly. Transporters should be required to provide USDA complaint # and information to all shippers of animals.

USDA will need this information in order to prosecute a case under the AWA.

Airlines already have much of this information. It should be submitted to USDA.

Why is it the owner's responsibility to uphold a law that regulates the carrier; the owner is not the regulated body?

The public doesn't know where to go when they've had a problem when shipping their animals by air. It should be the airlines responsibility to report consumer complaints to the USDA!

Existing airline training programs are almost all as a result of suit settlements - need mandatory training.

What/or where is the scientific study on all of these? Who states there are these problems occurring and how often?

What is the scientific study on this? Show us the studies done on paper!

#### Acclimation

##### Problem:

Establish safe, humane climatic conditions for animal transport (present temp/time requirements are unsuitable).

1. Existing temperature/time are unsuitable.

- a. Temperature alone is inadequate safety standards.
- b. Temperature and time interact
- c. Major problem experienced to date is heat.
- d. No evidence of losses of animals due to low temperature.

2. Eliminate certificates of acclimation.

- a. No valid scientific means on which to base certificate
- b. Exceptions exist; but frequent use invalidates standards.
- c. Serves only to shift liability to veterinarian.

3. USDA should establish a range of maximum temperature, and exposure times within which animals can be transported safely and humanely.

- a. Present temperature - only limits are too restrictive and don't include the effect of humidity and exposure time as shown in recent study.
- b. Practically, humidity levels are not predicted hours ahead as would be needed for flight planning. Therefore, should base planning on 90% humidity and use 85 degrees F but need exposure table (time).

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4. USDA should review scientific literature and/or fund additional research to determine and establish lower temperature limits with separate standards for adults and puppies (<6 months).
  - a. 45 degrees F. is too restrictive - lower temperature needed.
  - b. No waivers should be permitted for animals under 6 months of age.
5. Owners should be permitted to ship adult (>6 months) with special capabilities (eg. Iditerod dogs) at temperatures lower than standard with a waiver of liability signed by owner.
  - a. No animals have been reported lost due to exposure to low temperatures in transit.
  - b. Research has shown that dogs that are properly sheltered in appropriate containers can maintain body temperature.
  - c. Dogs that normally live and work in frigid temperatures are not at risk at temperatures encountered in transport.
  - d. Any liability for shipping animals outside the standard temperature, exposure times should be borne by the owner/shipper.
  - e. If owner abuses the rule, resulting in loss, the matter can be dealt with under existing animal abuse laws.
6. Eliminate the present 45-minute transfer rule and include in airport transport within the overall exposure time established above.
  - a. Present time limit cannot be met at most large U.S. airports.
  - b. Total exposure times should not be concerned with where the exposure occurs.
7. Permit up to 3 puppies of comparable size in a single kennel of not more than 20 lb. total weight for the kennel.
  - a. If odd number of puppies is shipped, a limit of 2 per kennel (at present) means one must be shipped alone adding to its stress.

**Minority Opinions:**

Special conditions should be established for brachycephalic animals.

Class D cargo compartments are perceived to be inadequate due to lack of ventilation when closed. Regulations should address weight of animals that can be safely carried in such holds.

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**Additional Comments: Yellow post-it-notes.**

We need data on the area before we know what needs changing (group agrees). This has been looked at in a scientific study. Also FAA and USDA have one of their own in progress.

Must look at dangers of humidity. Don't discount wind chill.

Special considerations for pug-nosed dogs should be set.

Do not eliminate acclimation unless the temperature on the lowest end can be left open to the owners discretion at any age!

Acclimation certificates give the airline permission to abuse your animal by subjecting them to cold temperature. Do away with them.

Time in cargo hold for delayed flights must be addressed - there are often problems in cargo hold with lack of ventilation.

See FAA and USDA studies.

No animal should be in holding area that is over 85 degrees or under 45 degrees for any period of time. Limited animal shipments if so. --- Group disagrees.

Animals should be refused for shipment as cargo when the temperature rises above 85 degrees. -- Animal transport will almost cease.

See the "Hanneman Study" done on short-haired beagle for 7 days at 10 degrees.

10 degrees would be a reasonable bottom in.

Current regulations allow animal to only be exposed to temperatures of 85 degrees F. for 4 hours. This loophole must be addressed.

Animals should have time limit to be above or below temperature restriction as in current regulations. Group agreed.

Too many pet owners just want their pet with them no matter what the temperature and will agree to anything so they can transport it. If animal does indeed die because of extreme temperatures, the owners will still hold airline responsible claiming they did not know seriousness.

Increase 45-minute transport time at airports to 4 hours.

Since there is no mechanism for reporting, we do not know that animals have not been lost because of low temperatures.

Older dogs with no special needs should be allowed to be shipped under different guidelines than puppies. --- YES --- YES

How does this assure the safety and humane handling of animals? Waivers will lead to animal suffering. Owners do not always know what is best for their animals; that is why we have anti-cruelty laws and the Animal Welfare Act. Waivers become loopholes.

No animal should be held on tarmac for any amount of time, except as is necessary for the loading process.

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Animals are on tarmac for loading, unloading, and transfer.

We should not differ regulations for 6-month-old dogs vs. 8-week-old puppies.

Leave the 2 puppy per kennel regulation for airlines as is!

Limitations regarding brachycephalic animals should be firmly established.

Regulations needed to address number of animals that can be safely carried in specific cargo holds.

### **Training**

#### Problem:

Perceived inconsistencies in handling animals for air transport.

Types of inconsistencies:

Animals on bag belts/carousel

Animals were "lost"/"escaped"

Animals were misrouted

Animals not given water

Animals exposed to weather extremes

Kennels mishandled

#### Fact:

Most Air Carriers already have established training for Animal Welfare Act.

Not currently mandated.

May not be consistent

Access to pet by ground crew not an issue

#### Conclusion - no consensus

1. Since training already exists among carriers, no need to mandate - need to enforce regulations.
  - Consistent distribution of statistics (injuries, mortality, mistreatment) by airlines.
2. Training is not consistent because it is not mandated.

Suggestions for mandate:

- Sign-off by airlines on notification of animals for transport.
- Video for each carrier
- Consistent statistics

#### **Additional Comments: Yellow Post-it-notes**

Training should be mandatory and USDA approved - periodically updated.

Carriers that are regulated under the AWA have a legal responsibility to follow and understand the law - training ensures this.

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Airlines that do a good job will always get the bulk of business. No one wants a dead animal.  
85% of reservations made through travel agents and on-line services.

Air Transportation has improved greatly over recent years. This is not a serious problem.

Train them in what?

Why mandatory training? As opposed to voluntary?

Define the problem? How large is the problem?

Provide information for people shipping animals.

Any person offering any animal covered in the AWA for transport, should be required to submit food and/or watering instructions to a carrier. See Sec. 3.16(b). Currently only covers dogs and cats and Dealers, Exhibitors, Research Facilities.

Is USDA's educational information regarding shipment of animals readily available to shippers?  
General public won't request it from USDA, but might be interested if information is provided by airline or travel agent. Wider distribution of existing USDA information would help.

Animal should only be placed on tarmac during immediate loading.

Mandated emergency plans for pilots with animals in transit should be developed and instituted.

Pilot should sign-off on notification of animals being transported.



**Animal and Plant Health Inspection Service****9 CFR Parts 1, 2, and 3**

[Docket No. 95-099-2]

**Dogs and Cats in Commercial Pet Trade; Public Meeting****AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Notice of public meeting.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service is hosting a public meeting to gather information on the current Animal Welfare Act regulations and standards that apply to the care of dogs and cats in the commercial pet trade. In line with our commitment to ensure appropriate care for animals regulated under the Animal Welfare Act, we are reviewing these regulations and standards and are seeking recommendations and opinions from the affected industries and concerned public to determine whether revisions are necessary.

**DATES:** The public meeting will be held on two consecutive half days—from 1 p.m. until 5 p.m. on the first day and from 8 a.m. until noon on the second day. The meeting will be held in Washington, DC, on April 10 and 11, 1996.

**ADDRESSES:** The public meeting will be held at the U.S. Department of Agriculture South Building, South Cafeteria, First Floor, Wing 3, 14th Street and Independence Avenue SW., Washington, DC. If travelling by Metro to the USDA South Building, take the Blue Line (towards Stadium-Armory/Addison Road) or the Orange Line (towards Stadium-Armory/New Carrollton). Exit the train at the Smithsonian station and follow signs to Independence Avenue. Enter Wing 1 of the USDA South Building (entrance is at the corner of 12th Street and Independence Avenue) immediately after exiting the station. You will be required to show identification at the Guard Desk. Proceed to the South Cafeteria in Wing 3 on the first floor: registration will take place at the back of the Cafeteria.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stephen Smith, Animal Health Technician, Animal Care Staff, REAC, APHIS, USDA, 4700 River Road Unit 84, Riverdale, MD 20737-1234, (301) 734-4972.

**SUPPLEMENTARY INFORMATION:** Under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.), the Animal and Plant Health Inspection Service (APHIS) is

responsible for regulating the care provided to certain animals, including dogs and cats in the commercial pet trade. APHIS believes the AWA regulations and standards pertaining to such dogs and cats may need to be updated. APHIS officials are reviewing the pertinent AWA regulations and standards.

In conducting this review, the agency is seeking recommendations and opinions regarding the housing, care, handling, and transportation of dogs and cats in the commercial pet trade. APHIS officials decided to hold three meetings to gather input from the public, animal protection organizations, and members of affected industries, such as dealers, research facilities, and commercial animal transporters. The first two meetings were held in Kansas City, MO, on February 21 and 22, 1996, and in St. Louis, MO, on February 23 and 24, 1996. We have chosen to hold the third meeting in Washington, DC.

The meeting will include four workshops facilitated by trained APHIS facilitators: (1) Space requirements for primary enclosures, including room for exercise; (2) sanitation, materials, flooring, and construction of primary enclosures; (3) veterinary care and breeding frequency; and (4) transportation by land and by air. In these workshops, group participation will be used to develop recommendations within specific topic areas. After the workshops have concluded, each workshop group will report its recommendations to the entire meeting.

APHIS will consider these recommendations in developing any revisions to the current AWA regulations and standards. The Agency will initiate rulemaking for any changes deemed appropriate.

Participants will register to participate in one workshop for the entire meeting. Registration for workshop sessions will be held from 11 a.m.-1 p.m. on April 10 at the back of the South Cafeteria, with the general session beginning at 1 p.m. Attendance may be limited for some workshops because of space availability. Any persons who are unable to attend the meeting, but who wish to comment on any topics covered by the four workshops, may send written comments to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 19th day of March 1996.

Lonnie J. King,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96-6982 Filed 3-21-96; 8:45 am]

BILLING CODE 3410-34-P



**PROCEEDINGS OF PUBLIC MEETINGS  
ON DOGS AND CATS IN COMMERCIAL PET TRADE  
HELD IN KANSAS CITY, MO (FEB. 21& 22, 1996)  
AND IN ST. LOUIS, MO (FEB. 23 & 24, 1996)**

**March 15, 1996**

**U.S. Department of Agriculture  
Animal and Plant Health Inspection Service  
Regulatory Enforcement and Animal Care**



## **WORKSHOP TOPIC AREAS AND TEAMS**

### **Space Requirements for Primary Enclosures and Room for Exercise**

Marvin Samuelson, Chairperson, D.V.M., Topeka, KS

John Coakley, APHIS Facilitator

Natalie Roberts, APHIS Facilitator

David Sabala, REAC Technical Resource

Janice Brown, REAC Workshop Assistant

### **Sanitation, Materials, Flooring, and Construction of Primary Enclosures**

Robert LaGarde, Chairperson, Exec. Director, Helping Hands Humane Society, Topeka, KS

Bill Zybach, APHIS Facilitator

Ben Flerlage, REAC Technical Resource

Deirdre Jarvis, REAC Workshop Assistant

### **Veterinary Care and Breeding Frequency**

William Fortney, Chairperson, D.V.M., Kansas State Univ., Manhattan, KS

Vicki Bridges, APHIS Facilitator

Deb Millis, APHIS Facilitator

Richard Watkins, REAC Technical Resource

Joy DeArce, REAC Workshop Assistant

### **Transportation by Land and By Air**

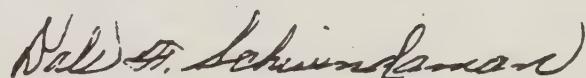
Marshall Meyers, Chairperson, Attorney, Pet Industry Joint Advisory Council, Washington, DC

Lisa Rothe, APHIS Facilitator

Steve Smith, REAC Technical Resource

Sarah Stith, REAC Workshop Assistant

In addition to the meeting participants, I would like to recognize Sue Gallagher, overall coordinator, and the combined efforts of many other employees within Regulatory Enforcement and Animal Care and units within the Animal and Plant Health Inspection Service who contributed to the success of the public meetings.



Dale F. Schwindaman, Deputy Administrator  
Regulatory Enforcement and Animal Care  
Animal and Plant Health Inspection Service  
Marketing and Regulatory Programs, USDA



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**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**1. Space Requirements, Kansas City, MO Feb. 21-22, 1996**

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**1. KANSAS CITY SESSION: Space Requirements for Primary Enclosures and Room for Exercise**

**STRAW POLL:** Is there room for improvement? 15

Keep Things the way they are? 6

More regulations? 3

Less regulations? 6

Some regulations? 1

Non covered animals

Discussion: What constitutes a primary enclosure? Each dog is required to meet a space requirement. All primary enclosures are permanent. What about using temporary enclosure as a permanent one? Does USDA have authority to regulate the boarding kennels? What size? There's a formula in the regulations. Measure nose to tip of tail and multiply.

**IDENTIFICATION OF ISSUES [Brainstorm and Vote]:**

**Room for Exercise**

How much? 15

Shelter in exercise area 3

Tethered dogs 9

**Primary Enclosure**

Acceptable housing

Formula on page 42 of regulations 18

Simplify and use examples 6

Allowable number per enclosure 1

Size of the wire (Group 2) 3

**Rewrite Act to be inclusive of 50**

Boarding Kennels

Pet shops

Shelters

Anyone using/selling handling etc.

Greyhounds

**Self regulation and certification 8 (include with Enforcement)**

Model state regulations/law

**Liaison between inspectors and veterinarians 80**

**Enforcement of existing regulations**

Risk management

Standardize

Numbers of inspectors

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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Don't change

Shut down facilities not in compliance

If they are changed, provide an objective basis

Performance

**Education**

**Liaison**

**Improve the process**

**Decision on Issue Groupings**

1. Room for Exercise
2. Primary Enclosure Space
3. Rewrite the Act
4. Enforcement
5. Education, Self Regulation, Certification

[Participants broke up into discussion groups around each issue, then reported out. People were also invited to attach comments to flip charts on yellow sticky notes.]

**EDUCATION**

We want some education for the inspectors, more uniformity. We want them to help us a little, give service, go in and say, "We want this improved and this is how others are doing it." We need a good working relationship with our inspectors.

We want more education of the industry, maybe in small groups, so if there is a kennel that needs to be straightened up, we can educate each other.

It was suggested that we need a grading system that distinguishes between good and bad kennels, and maybe, if you have a good kennel, your fee would be less.

We want the inspector to communicate more. For example, if you have a problem, there can be communication within the community and everyone can work together.

Join American Professional Pet Distributors, Inc. (APPDI) or Missouri Pet Breeders Association or other educational organizations.

Simplify rules.

Understand the rules as the inspectors do

## **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

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"Good" facilities should not receive fewer inspections only because they are obeying the law. Increased inspections of non-compliant facilities is a good idea. Noncompliant items must be enforced—fined.

### **ENFORCEMENT OF REGULATIONS**

This particular group felt like we need no changes in regulations, but we need to go out to these substandard kennels and follow through with them faster. The requirements should apply to all animal dealers with three intact females selling to the public or anyone. They should be required to have a license.

There needs to be more consistency among inspectors.

APPDI has a certification program. We are fighting to improve public perception. We were able to say we exceeded the regulations, to say we're inspected by a veterinarian and certified. So the inspectors will not have to inspect so often, but focus on complaints and substandard kennels. If we could get all those who need to be licensed under the current law, we'd have more funds to run the program.

It takes two years to get anything done on these substandard ones. Need to give them 30 days and a penalty if they're not in compliance.

Discussion about Memorandum of Understanding (MOU) between USDA and the state of Missouri. Who's responsible for what. Asked APHIS Resource Person, Dave Sabala, what the law says about whether APHIS can accept the States' inspection.

Inspectors should not write someone up for a non-important issue to just prove he or she was there and justify his job.

Areas of no self regulation, where we need to regulate are rodeos, horses, and dog racing.

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**SIZE REQUIREMENTS FOR PRIMARY ENCLOSURES**

As the regulations state, the minimum size the dogs can occupy is the length of the dog plus six inches, squared. There should be no change. They built their kennels to accommodate the breeds at the time. You can't put too many dogs of one kind in. We had one nonbreeder that wanted the minimum space size increased for dogs over 50 pounds to 24 square feet, for medium dogs 36 pounds to 20 square feet, and for small dogs from 10 to 35 lbs to 12 square feet.

Comment: The proposed square footage is new. What are these formulas based on? Is there any research to back up the 24 to 20 and 12 sq. ft. recommendations? If there is no research or evidence to support it they should remain the same.

Allow 1-2 years for change to regulations. On coated wire, there should be a resting area. On the height for an individual pen—six people felt the regulation should stay the same. One felt that it should be 6 inches above the head while standing on the hind legs.

The size of area would not allow proper socialization or allow interacting with each other.

The height of pen is already adequate and causes no problems.

Primary enclosure should stay the way it is and should be grandfathered in.

Adequate space should be given to mothers to escape from nursing pups: more than 1 resting space.

Nursing box cannot be counted as a resting box.

**REWRITE ACT TO BE MORE INCLUSIVE**

Any person or group who deals with animals should be included in the AWA, whether they are profit or non-profit.

There should be uniform enforcement for all, pertaining to housing and exercise.

The current size formula must be recognized as a minimum.

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**ROOM FOR EXERCISE/TETHERS**

Provide tape measures for inspectors. Self-regulation within standards to promote health/productivity of the animal. Three times is adequate. Came back to the issue that the regulations as written are adequate, but we need enforcement.

No tethers, being housed with another dog should not be counted as exercise. The requirement must be either: each dog walked 2 times daily for at least 20 minutes or..

Tethers need to have a swivel on them.

**OTHER DISCUSSION**

Reclassify how licensees are designated:

- Animals bred for pets/exhibition
- Animals bred for research use
- Humane Societies
- Pet Rescue Groups
- Pet Stores
- Boarding Kennels
- Exotics

Class B dealers cannot sell to research. Local government inspection ALONE is not enough.

Temperature at floor level for infant animals should be 75 degrees; for adult animals, it should be 65 degrees. Must have a means of circulating air.

[In the remaining time, the issues were circulated among the subgroups for rework and refinement. More comments were inserted on sticky notes. The output was as follows.]

**ENFORCEMENT OF REGULATIONS**

To change or not!

1. Enforce rules already in force.
  - A. No rules change without data (scientific).
  - B. Wire size: large enough for feces to fall thru and adequate for no injury of animal's legs.
2. If rules are changed, grandfather clause must be added.

Comments:

Size of area would not allow proper socialization or allow interacting with each other.

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Primary enclosure should stay the way it is and should be grandfathered in.

Inspectors should use common sense when it comes to temperature control. As long as temperature does not stress the animal, the inspector should not do anything about it. If animals are panting from heat, stressed, or shivering from cold, then by all means the temperature should be addressed.

Cage space is a minimum standard. Common sense should be used when housing different breeds. Some dogs need more exercise than others. Most dogs like to sleep. As long as the animal is healthy, excessive legislation in this area should be kept to a minimum.

Adequate space should be given for mothers to escape nursing pups. There should be more than one resting space.

I feel tethering would be an easy way for dogs to get tangled up and injured.

Potable water must be present at all times. Should be cleaned daily. Drainage and plumbing should be adequate to handle heavy load of daily cleaning.

Need to have a better way to identify animals. Having to put your USDA number on the dog is uncalled for. How many dogs have been stolen or recovered because of this procedure?

## **EQUAL AND UNIFORM ENFORCEMENT**

1. Include all--Humane societies, hobby and show breeders, pet shops, greyhound tracks, anyone handling animals.
2. Violation rating system  
Mild--clutter or cobwebs  
Moderate--not life threatening  
Severe--life threatening to the animal  
Much discussion about when to reinspect.
3. Make category on USDA inspection sheets for inspector comments and breeder comments.
4. Orientation classes for new breeders in cooperation with licensees and allied industry of breeder organizations.

# USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

1. Space Requirements, Kansas City, MO Feb. 21-22, 1996

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## SPACE AND SIZE REQUIREMENTS FOR PRIMARY ENCLOSURES

To change or not!

\* 6 to 1 voted that space formula remain the same!

- In the event of change, introduce a "grandfather clause."
- Supply a solid resting/even on coated wire.

Example - introduction of possible new regulations

Large dogs - over 50#, 24 square feet.

Medium - 36# - 40#, 20 square feet.

Small - 10-35#, 12 square feet.

### Comments:

Do not need so many square feet per dog.

The proposed square footage (new). What are these formulas based on? Is there any research to back up the 24 to 20 plus 12 square foot recommendation? If there is no research or evidence, they should remain the same.

Nursing box cannot be counted as resting box.

Do not agree. Way out of line.

Standardized micro chipping so that it can be read (identified) by all shelters and veterinarians, etc., making breeders accountable for the animals they produce.

Any dog not being "transported" should be in a permanent-sized enclosure. i.e., dogs cannot "board" in an airline crate.

Tethering should not be allowed.

Height requirements: 6 to 1 no change.

Introduction of new idea - 6" above head while standing on hind legs.

Comment: Do not need this change.

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**ROOM FOR EXERCISE/TETHERS**

1. Tether needs scientific data to be used as a permanent confinement.
2. Scientific data needed before any change in exercise ruling.
3. Discourage (all agreed) and some wanted to discontinue practice.

Enforce current regulations.

Tape measures for inspectors.

Self regulation within standards to promote health/productivity of animal.

**Comments:**

Are collars considered when using a tether? (No choke chains!)

Tethers need to have a swivel on them.

No tethers. Being with "another dog" should not be counted as exercise. The requirement must be either: each dog is walked twice daily for at least 20 minutes or, if not able to be walked on leash, the dogs should be offered opportunity at least twice daily to be in runs four feet by ten feet for at least 20 minutes each time.

**EQUAL AND UNIFORM ENFORCEMENT**

Take a positive stand on substandard facilities. Follow through faster.

**Comment:**

Follow thru with "non" compliant.

Enforce what rules you have and clean up poor facilities in six months to a year.

Facilities that are noncompliant in serious ways should be given 90 days maximum to correct infractions. If corrections are not made, shut the facility down!

The requirements should be enforced for all animal dealers.

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

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Animal "dealers," including greyhound breeders, humane societies, and pet stores should be required to have a license and therefore be regulated/inspected.

Anyone associated with raising animals for retail or wholesale.

Regulations should apply to anyone with three intact females selling to the public or anyone. Require a license. Include all—humane societies, hobby/show breeders, pet shops, greyhound tracks, anyone handling animals.

Comment: Regulations should cover all dogs and cats on the premises regardless of ownership or registration. Search out unlicensed breeders and follow up.

Consistency by all USDA inspectors.

Comments:

Inspectors should not write someone up for non-important issues to just prove they were there and justify their jobs.

The inspectors should all be trained in animal welfare and be consistent with their overall inspections.

Will inspectors be required to have a certain educational background? I.e., animal welfare, animal medicine, etc.

Inspectors should be rotated in some way so that they are not always seeing the same facilities.

We need consistency from inspectors.

Comment We are concerned with no recourse for non-compliance, especially for kennels that are in compliance.

Provide interpretation of rules for a certification program within industry to assist in self-regulation—in a cooperative way. Perhaps this would work at the state level. This would allow USDA to focus on problem areas.

Comments:

Join APPDI or MPBA or other educational organizations.

No self-regulation. Regulate dog racing also.

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**EDUCATION**

Inspectors/licensees

- uniformity
- service

Risk management

Industry/government relations

- meetings

Grading system

- Good/bad
- Fee per number of inspections required
- Positive reinforcement for compliance
- Penalties - inspect more often

Inspector/licensee

- Communication
- Work together

National grading system

- Violation rating system.
- Mild clutter, cobwebs
- Moderate, not life threatening
- Severe, life threatening to the animal

Discussion about frequency of inspection that should be done for each level, which requires reinspection, which doesn't. Some felt mild clutter, cobwebs do not require reinspection. Others felt it did. Finally, consensus seemed to be with those who believed it did.

Comments

Simplify rules. Understanding rules the same, breeder-inspector.

"Good" facilities should not receive fewer inspections only because they're obeying law. Increased inspections of noncompliant facilities is a good idea. Noncompliant facilities must have the rules enforced on them and be fined.

Distributors should be bonded.

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

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Licensees should be held accountable for a certain amount of knowledge about the animals in their facility and their health care/etc. Need certain level of education.

Educational seminars provided by USDA (for breeders).

### Comments

Inspectors should be familiar with the needs of different breeds of dogs or cats or primates.

Breeders should not have to sit home five days a week all year long waiting on an inspector.

### REWRITE (DEFINE) ACT/CHANGE

Any person or group who deals with animals (pet shops, pounds/shelters, etc.) should be included in the Animal Welfare Act whether they are working for profit or are nonprofit, if they are not already regulated by state or local government.

- Uniform enforcement of uniform standards for all.
- The current size and other standards must be recognized as a minimum.

### Comments:

Twelve dogs in one pen is dangerous to the animals. I can't run more than three together and then I have to be very watchful.

Would it be acceptable to have state or local authorities cover these groups?

Reclassify how licensees are designated:

- Animals bred for pets/exhibition
- Animals bred for research use
- Humane societies
- Pet rescue groups
- Pet stores
- Boarding kennels
- Exotics

Class B dealers cannot sell to research.

Local government inspection alone is not enough.

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**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**2. Sanitation, Materials, etc., Kansas City, MO Feb. 21-22, 1996**

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**2. KANSAS CITY SESSION: Sanitation, Materials, Flooring, and Construction of Primary Enclosures**

**Purpose of Work Session**

- 1) Provide input into USDA regulations process
- 2) Listen and gather information
- 3) Identify key issues
- 4) Compile recommendations for improvements to regulations
- 5) Identify common ground
- 6) Identify issues difficult to resolve.

**Work Session Agenda**

**Day one**

- 1) Introduction
- 2) Idea Generation
- 3) Subgroup Defense Issues - Identify improvements and modifications
- 4) Report out to workgroup on flip charts
- 5) Clarify
- 6) Feedback

**Day two**

- 7) Subgroups to incorporate feedback and develop recommendations.
- 8) Report out to work session group
- 9) Return to Large Group (for report)

**STRAW POLL:** Need more regulations to deal with this issue? 2

Who feels we need less? 3

Leave the regulations as they are? 50

Better define the regulations? 50

Better enforcement of what is there? 58 responses

**Ground Rules**

Self-Managed Breaks

Focus on the situation or issue - not the individual

No Quotes or Attributions

Let everyone participate

Agree to disagree

**ISSUES IDENTIFICATION**

[Members of the breakout group were asked to individually identify the 2 or 3 most critical issues that must be addressed in relation to the agenda topic, or other critical issues that face

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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interested parties, then ideas were solicited one at a time until all ideas were captured]:

How do you set up a kennel? Doesn't know until inspector comes around and sometimes it is too late.

Simple specification in layman terms

Equal enforcement for everyone in pet industry

Define impervious to moisture (readily clean and sanitize)

Have the inspectors taught uniformity and uniformity

Define the size of mesh per breed/size

If changes are necessary, we need to grandfather provisions

All regulations to fall within the hardiness of the breed

Guideline on lagoons

What is excess accumulation?

Less need for identification of animals

Construction guidelines - disadvantage/advantage

Define temp housing (for A and B dealers). They should not have the same requirements. they need to be different because they ARE different (as long as the welfare of the animal is not affected)

Why should the puppies be inspected twice? Why health inspection report when it will be inspected at the destination?

Define suitable materials for resting surface (Does it need to be solid?)

How do you separate the need for more information from more restrictive regulations?  
What is needed is a source for information rather than more regulations.

Identify puppies by cages not by ID collars

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People need to take the time to read the regulations

17 issues

**CONSOLIDATED AND PRIORITIZED ISSUES**

[The group reviewed the key issues generated and combined similar topics into a consolidated list, then were asked to identify 5 that they thought were most important and on which they would be willing to develop recommendations.]

Equal Enforcement

Grandfather provisions

Simple specifications

Inspectors taught

Cages rather than collars

Construction guidelines

Source of information not more regulations - rules

A. Suitable resting material

B. Size of wire mesh

A. Define temp housing

B. Why twice inspected

[The first 6 issues were picked for group discussion and recommendations. People were allowed to make comments by writing them on yellow stickers and attaching them to flip charts.]

**EQUAL ENFORCEMENT**

Everyone in the pet industry should be licensed under the same rules. Make inspectors enforce.

Must be able to enforce these. Members of pet industry be removed if not in compliance.

Penalties needed for infractions when identified. People that refuse to comply be eliminated.

**Additional Comments:**

The act is called Animal Welfare. If you are reproducing dogs or cats you should be licensed. If you own it as a pet it should be neutered or spayed to stop over production of mutts and unwanted pets. This law should apply to the nation. Hobby show hunting clubs should not be exempt.

All breeders of animals need to be licensed. Very good rule to change.

We are concerned with animal welfare - not who you sell pups to.

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No communications link between agencies - example, the sheriff and USDA.

Have kennels licensed for specific numbers of dogs. If the number increases, need to relicense.

Focus inspectors' time on the abuser not the people that abide by the regulations.

USDA should provide all licenced people with a copy of the NEW REGULATIONS being proposed and given a waiting period for response before implementing new rules.

Too broad - definition can't regulate everyone.

Money - increase congressional appropriations for more inspectors and more uniform inspectors.

#### **GRANDFATHER CLAUSE**

Need establish one for compliance with the USDA regulations until the pen needs to be remodeled.

#### **SIMPLIFY SPECIFICATIONS**

Divide species, dogs or cats, clearly define. Put AWA regulations and in a side by side comparison with the law - ruling. Reader-friendly format.

#### **TRAIN INSPECTORS**

**ALL INSPECTORS enforce the regulations uniformly - retrain or replace them !**

##### **Additional Comments:**

Give the inspectors the authority to close someone down PERMANENTLY if they don't correct the infractions after the third warning of the same infraction.

More easily understood inspection form. Clearer writing on form.

Who inspects the inspectors?

Move inspectors around occasionally

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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To help inspector with "no shows"--breeder never there--have them call the morning of the inspection.

### **PUPPY IDENTIFICATION**

Change to ID Card on cage rather than collars. Collars not good for puppies. Have cards show whelping date, litter size, sex, AKC numbers, color of pups. Individual litters shall be contained in separate pens or temporary housing with ID cards to identify.

Additional comments:

What about the AKC Regulations?

I have a graph kennel drawing in office all listed where they are.

Cage cards collect dirt.

Definition needed for dangerous - explain some the pitfalls.

Many people writing the regulations have never been involved with puppies so - tell them what happens when 6 week old puppies are collared.

### **CONSTRUCTION GUIDELINES**

Simple specifications guidelines material acceptable and unacceptable. USDA Workshops. USDA should provide education and developmental plans on how to build a licensable kennel for large and small breeds. USDA task force to develop kennel specifications.

Additional comments:

Define minimum and or initial installation

Needs grandfather clause

List the best and USDA approved materials for building a kennel facility in a brief and simple form. Include cage size for size of breed.

Define compliance (100 % every time) and who says when pen needs replacing or building remodeled.

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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Compliance is a USDA law. Needed for people who have followed and are following at present time.

Public relation wise looks bad.

Yesterday's dogs are just as important as tomorrow.

## **SECOND ROUND OF ISSUES AND RECOMMENDATIONS**

### **Themes**

Suitable Materials for Resting Areas.

Define Size of wire mesh per breed.

Definition of Temp housing.

Why multiple Federal Inspections (Health Certificate) of animals going to another USDA Inspected Facility.

Impervious surface? Sealed surface?

Ways to have industry have more industry regulations.

Recommendations [follow below under the headings shown in caps.]

### **IMPERVIOUS SURFACES**

In reference to section 3.2, paragraph D, page 38 but not limited to -

Remove term - "impervious to moisture" in all rules, regulations, etc.

The phrase "readily cleaned and sanitized" is SUFFICIENT. Or add "Combustible Surface" must be impervious.

### **RESTING SURFACES**

For cats, solid resting surfaces should be made as to be easily sanitized and disposed of and replaced when worn or soiled. This should include the use of carpeted resting surfaced and "cat furniture" at breeders' discretion. The main point is that kittens and or cats exercising will slip and or fall on solid sealed resting surfaces and suffer injury. Carpet is recommended.

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For dogs, vinyl coated wire should be acceptable if proper size for breed is used. The main point is that a proper gauge wire with proper installation will not sag.

- a) Unsanitary conditions do occur when a dog soils a solid surface.
- b) Proper kennel temperature in building will ensure proper body temperature.
- c) Proper wire flooring helps prevent "stool eating."

### **DEFINITION OF WIRE MESH (SUSPENDED FLOORING)**

If flooring is wire it should be vinyl coated

Regulations on wire size to prevent feet falling through and injury are fine for puppies and adults.

When puppies are of mobile age, adequate (temporary) flooring for their size of feet.

### **MULTIPLE INSPECTIONS FOR PUPPIES BEING TRANSPORTED FROM ONE USDA-INSPECTED FACILITY TO ANOTHER USDA-INSPECTED FACILITY**

#### **HOUSING**

"A" Dealers should be called permanent housing facilities.

"B" Dealers should be called transit housing facilities.

Different Regulations should be made for each.

"B" Dealers should not have to be regulated as a permanent facility, because most puppies are only held by "B" Dealers for a short period of time (3 to 4 days).

Transit carriers should be allowed to ship puppies 3 per pet carrier as long as the pet carrier has plenty of room to avoid a 1 puppy per cage problem (average carriers could hold 3 Yorkshire rather than leave 1 puppy by him/herself for the transit period). This is NOT an issue of money saving, it is an issue of puppy welfare.

#### **Common Overall Themes as agreed upon by Workshop Participants**

Equality of enforcement - extend jurisdiction to all pet related animal industries

Simplification of regulations - user friendly

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Tell us before we get started how to do it (what are the expectations)

Better access to/sharing of information that is specific and relevant.

Train Inspectors and Industry

Close those not in compliance.

**Questions for USDA/REAC Representatives, Steve Smith and Dale Schwindaman**

How long before the proposed rules come out? How long will the comment period be?

The federal regulations should show all licensees

Plan should come from the sector not Headquarters.

Send information out to them from this workshop.

**Open Discussion**

Why are the media only seeing the "Puppy Mills"? Even after this session and all the good topics yesterday, why did the media only talk about "Puppy Mills"?

Are these sessions a waste of time? Rumors are hard to avoid. Public needs to begin a partnership with USDA to help solve the issues. The state can also regulate with USDA. Then have the county get involved.

Action - what is the definition? Are we going to enforce the regulations or are we going to change them? Assistant Secretary, Mike Dunn, said there are some issues that can be done or enforced.

Why can't the Humane Society help give us a better name? Where do they get their puppies? Are they strays? Are we able to have partnership with these societies?

The Humane Society is not licensed. Why is USDA having them come with them to do inspections?

Is the Congressional Record available to the public? Is legislation being passed with USDA pushing it?

# **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

**3. Veterinary Care and Breeding, Kansas City, MO Feb. 21-22, 1996**

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## **3. KANSAS CITY SESSION: Veterinary Care and Breeding Frequency**

**Review of "Purpose" flip chart.**

**Work Session Agenda**

Introduction

Idea Generation

Subgroups define issue

I.D. improvements/modifications

Report to work group

Clarify with feedback

Review "Day Two" flip chart

Subgroups to incorporate feedback

### **Ground Rules**

Self-managed breaks

Concise comments

Focus on issues

Agree to disagree

No direct quotes

[Decision: Talk about veterinary care first since so many topics are under this subject.]

### **VETERINARY CARE ISSUES: Brainstorm**

Veterinarians need to be well educated about pups/small animal care as focus

Breeders should decide when/how to use veterinarian (not the USDA).

Some people have good small animal veterinarians but more veterinary cooperation without regulations is good.

USDA could be more of a teacher for breeders.

Decrease regulations for veterinary care -- breeders know best, but education (facility construction, proper veterinarian care practices) is valuable.

Breeders must be responsible for finding the best veterinarian to treat small animals, rather than just putting up with a veterinarian who doesn't have a liking for kennel/small animal work.

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Breeders/distributors who are not conscientious need to have veterinary regulations enforced to decrease industry problems.

Limited veterinary knowledge of a specific topic may hurt the facility.

Costs to have veterinary visit - it's a redundant inspection. Paying the veterinarian influences the veterinarian's decisions (conflict of interest).

Veterinarian/client relationship is the key to successful program of veterinary care. Promotion of this beneficial relationship should be target of USDA regulations.

Regulations sometimes vary when applied to various facilities.

I don't think veterinarians can be "bought" with their fee.

Breeders should take responsibility to learn on own about disease, etc. - can choose a better veterinarian if educated.

Better information is needed to help new people to breeding business.

Model veterinarian care program.

Inspectors can see health problems in dogs.

Veterinarian should be more responsible to bring problems to attention of USDA.

Should vet of USDA (AKC) be responsible for inspecting?

Veterinarian should be more responsible to bring problems to attention of USDA.

We have no problems at our kennel with veterinary care. What is the problem? Do we need to change?

## **SUMMARY OF VETERINARY CARE ISSUES IDENTIFICATION**

**DO NOT NEED MORE REGULATION FOR VETERINARIANS  
BUT WE DO NOT NEED LESS -- WE SHOULD WORK WITH WHAT WE HAVE.  
Equal and better enforcement .**

**Other areas of enforcement (i.e.) show breeders.**

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Unclear language subject to varying interpretation.

Building greater flexibility into the regulations to accommodate various conditions.

Better information for people new to the business.

Who is responsible for checking kennels – Who should be.

Model veterinary care program

Reduce redundancies with other inspection programs

Reporting mechanism for animal abuse - required.

Investigate the science of the breeding frequency issue.

Re - Breeding frequency regulation

Straw votes - who's in favor and who's not

More education by USDA on construction of facilities and veterinary care through education, not enforcement

Don't need more regulation.

Enforce what is in effect.

Standards for proper veterinary care.

Conflict of interest.

Veterinary care.

Educate veterinarians on puppy care and small animal care.

Breeders know when to seek veterinary assistance.

Less regulation.

Don't fix it if it ain't broken!

Breeding--No need to regulate (pros and cons)

Fertility not the business of the government.

Subsidize if regulated.

Industry promotion of early spaying/neutering - mandatory.

Need to regulate.

## **BREEDING ISSUES: Brainstorm**

Stay out of breeding practices -- We know when they still produce.

Mother nature can govern itself.

Mandatory spay/neuter could be a topic today -- What is opinion of group?

I feel an animal should not be overbred out of benefit for the animal.

Can't overbreed -- dogs will produce, then stop, then they shouldn't be bred further.

Explore the "science" of breeding as frequency is concerned.

Breeding regulation = increase

Proposed count of "aye" and "nay

[Group voted to prioritize Breeding Issues.]

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**SUMMARY OF BREEDING ISSUES IDENTIFICATION**

1. Breeders know when to seek veterinary assistance.
2. Do not need more regulations (proposed combining with No. 5 but rejected).
3. Equal/better enforcement.
4. Reduce redundancy in inspection process.
5. No need to regulate breeding.
6. Investigate science of breeding frequency issue.

**Other Discussion**

Follow up inspections should be used.

Give inspectors authority to act against bad kennels.

Facilities without 10 or more females should be USDA licensed regardless of how they sell (retail or wholesale).

Vet Care (Work with Regulations we have)

Certify good facilities

Redundancy--USDA vs APPDI vs AKC vs private veterinarian, etc; all have different powers and must learn to cooperate. Focus inspection on bad facilities.

Farm subsidies explained. Government can't put a dairy out of business.

Clarification About Neutering

Classify some animals as "pets" and require these animals to be spayed/neutered. (Other animals labeled as breeders.)

Everyone pays fee to follow USDA reg/standards when want to breed even one animal.

Counterpoint: A pet store uses the breedability of an animal as a sales point at times.

Limited vs. full registry on AKC.

Recommend rating system for good facilities.

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### **REDUCE REDUNDANCY**

1. Regulated by multiple agencies with different regulations.

Issue? -USDA

- AKC
- State
- D.V.M.
- APPDI
- AAALAC

2. Way to change?

- USDA/State cooperation

- Acknowledge good facilities and work on "bad" ones

- Acknowledge voluntary certification programs and allow fewer inspections for certified facilities

- Spend time enforcing regulations for "bad" facilities.

3. Who does?

- This group.

- USDA/State agencies

Vet Program: Agree the regulations we already have are enough?

### **MORE EQUAL AND UNIFORM ENFORCEMENT**

1. Anyone housing 10 or more brood females must be USDA inspected regardless of who they sell to.
2. Inspectors should put a ranking of seriousness of problem in report as to those which will truly affect well being of animal and those that won't.
3. Give inspectors more backing to speed up closing process of really bad condition kennels.

Additional Comments:

USDA could rate kennels according to quality of kennel.

Bring back to the floor the enforcement of regulating everyone who raises puppies.

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When the inspector writes you up, he does not need to go through and inspect everything again. Just check that the problem is fixed (uses up a half day).

I agree.

Want talking about faster action for kennels in trouble. Why does State have to close instead of Federal? Is there any reason for this? They know but time is a problem. Dogs can't wait when they are starving and need to be cleaned up.

Regulation of breeding frequency will only compromise the integrity of the breeder.

I agree this will include the "unregulated" show kennels and the guy who just has a "few dogs."

Can't regulate mutt puppies.

Why should the Humane Society be involved? They aren't USDA inspected!!!

We don't need anymore regulations to worry about. We have our inspectors, and if that suits USDA, leave it alone.

If it works, don't fix it.

If a bitch is in good condition, I see no harm in breeding.

Subsidize if can't breed.

Show breeders, pet shops should have USDA regulations on them also.

The animal activists should be regulated also.

I feel that early spaying and neutering might be harmful to the animal. Studies seem to indicate that it leads to problems.

Limited papers are not going to stop humane society overruns.

If it works, don't fix it.

Worry more about those few bad kennels. Leave the good ones alone.

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Keep the activists groups under control. Don't let them make the changes.

Frequency of breeding could be incorporated in the Veterinary Care Program (if the kennels have healthy females, breeding will be acceptable.)

USDA to enforce the regulations in effect now.

Female is born with all of the eggs it will ever produce. Mother nature will take its course.

A respected authority says that if a bitch is healthy, it will not hurt her.

No. 1 - Agree. Leave to mother nature.

Mixed breeds should be neutered or spayed to control the overpopulation of dogs as their owners let them run free and they get bred and no one wants them.

Leave to Mother Nature.

I believe Mother Nature will protect the female from having a litter if she is not healthy.

I believe Mother Nature will take care of not being able to overbreed a bitch and we should know when not to breed a bitch if she is not in good health.

According to veterinary studies, it does not hurt a healthy bitch to breed often. Mother Nature designed the animal kingdom for the best. Humans should leave it alone.

3. Other animals are not regulated unless subsidized. If production is cut, we should be subsidized.

AKC should have more to say about frequency. Feed is very important for breeding frequency.

I agree with the subsidizing if we are regulated on the litter of puppies per female.

Subsidizing us is not the answer, and is a little silly to bring up, not productive.

4. Commercial breeder is not the cause of overpopulation. Less than 7% of pups registered with AKC are sold through pet stores.

Find facts from 3 dog food companies that can give us studies that have been done on breeding

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frequency.

Comment: This is pretty far off the track. "Good" dog food is the answer to a healthy animal.

**BASIC POSITION ON BREEDING FREQUENCY:**

- 1) A should adopt the current AKC regulation. We find it to be sufficient.
- 2) Fertility regulation should be left to owner, vet, and nature.
- 3) Additional regulation will not put unethical breeders out of business, but will perpetuate their unethical behavior.

Animal rights activists should encourage facilitate the spay/neuter practices, but not mandate it.

Regulation brings subsidizing.

**Additional Comments:**

At whose cost do I spay/neuter? It's hard on such a young pup.

I believe the USDA regulations cover the issues that need to be addressed sufficiently.

Give inspectors more power to close bad kennels faster.

Less regulations.

We need less government regulations. Let the breeders decide when the dogs need veterinary care. We must raise healthy dogs to have good dogs, so we will use veterinary care when needed.

Whether any dog gets spayed or neutered should be decided by the buyer of the puppy.

Don't regulate or require spaying or neutering in any instance! That's the buyer's business only.

If all dogs are sold spayed and neutered, where is breed stock going to come from and it's not fair to the new owner.

A broker will not buy a puppy with limited registration.

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Spay/neuter pups with problems only. Sell with limited reg.

Limited edition on AKC papers which they cannot breed this dog. Let the breeder manage the breeding.

No mandatory spay/neuter. Some people don't like neutered even if it never has pups.

Keep government out of neutering.

I disagree on the neutering of puppies sold to pet stores.

### **Second Day:**

#### Points of Discussion Introduced by Dr. Watkins:

Group to discuss: Water availability; medical records (who maintains); do we need more regulations for the facilities that are not in compliance.

### **MEDICAL RECORDS**

Proper watering, reduced stress, and proper disease control. Need proof of veterinary care? Maintain adequate proof of veterinary service, i.e., receipts of services.

1. Maintain animal records on animals -- frequency of vaccinations, parasite control.
2. If the kennel owner is a veterinarian, then there should be an outside veterinarian of record.
3. Maintain proof of veterinary services (receipts of services).

### **EDUCATE NEW BREEDERS**

1. Veterinary program.
2. Do not need more regulations for veterinarians--but do not need less regulations.
3. Work with regulations we have (medical records; continuous water)

### **Comments:**

Need to inform veterinarians on what they are to accomplish with their inspection.

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Topics such as continuous access to water, reducing stress, and proper disease control should be part of standard veterinary care.

Vet Program -- Agree the regulations we already have are enough.

There should be standards for veterinary care -- not subjectively limited to attending veterinarian.

#### BREEDING FREQUENCY

Additional Comments :

All of this comes from Humane Society. I've had so many clients who have come to us after going to Humane and getting a sick, dying, mixed breed animal. Let them go and gather up all of the mutts that are running loose and leave the excellent facilities alone.

I agree.

I feel that early spaying and neutering might be harmful to the animal. Studies seem to indicate that it leads to problems.

We need to be fair and regulate anyone that has more than three animals, i.e. Humane Society, shelters, pounds, show breeder, pet shops.

When the inspector writes you up, he does not need to go through and inspect everything again. Just check the problem is fixed (uses up a half a day).

I think USDA should call kennel owner the morning of the intended inspection. This would enable inspector better use of his time and save USDA the taxpayers' money by eliminating missed persons.

Limited papers is not going to stop Humane Society over runs.  
If it works, don't fix it. Worry more about those few bad kennels. Leave the good ones alone.

We don't need any more regulations to worry about. We have our inspectors, and if that suits USDA, leave it alone.

I agree. this will include the "unregulated" show kennels and the guy who just has a "few" dogs.

License for all breeders whether one dog or 100 with some sort of mandatory neuter or license

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provision is in best interest of dogs, industry and society. Can be done by veterinarians since most dogs go to veterinarian at some point in their life.

Subsidize if can't breed.

Why should the Humane Society be involved? They aren't USDA inspected!!!

Show breeder, pet shops should have USDA regulations on them also.

What about talking about faster action for kennels in trouble. Why does State have to close instead of Federal? Is there any reason for this. They know but time is a problem. Dogs can't wait when they are starving and need (to be) cleaned up.

Can't regulate mutt puppies.

This is an Act of Congress and beyond the meeting scope.

Breeding frequency should be left to the dog owner and vet.

Animal's health should be evaluated for health adequately.

Regulated breeding frequency only causes bad breeders to use illegitimate means to register pups. Veterinary care program and breeder evaluation (are) best tools for breeding frequency.

Work with the regulations we have.

The animal activists should be regulated also.

If it works, don't fix it.

If bitch is in good condition, see no harm in breeding.

I believe anyone, whether they have one dog or more, should have to secure a permit before they can breed their female. This would eliminate overpopulation without mandatory breeding rules of spaying or neutering.

Everyone (should be) under some regulation, especially Humane Society and activists.

I believe mother nature will protect the female from having a litter if she is not healthy.

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Dogs that are bred when they cycle have fewer problems and are healthier.

The frequency of breeding should be left up to the dog and nature as a dog will cycle when ready.

Female animals should not be bred to an extent that is detrimental to their own well-being.

According to veterinary studies, it does not hurt a healthy bitch to breed often. Mother nature designed the animal kingdom for the best. Humans should leave it alone.

Mixed breeds should be neutered or spayed to control the overpopulation of dogs as their owners let them run free, and they get bred and no-one wants them.

The same lady writing for Humane Society needs to recheck her "facts."

If forced to stop breeding dogs at age 5 or 6 years, what do you do with them? No-one wants an older dog and we don't want to kill them.

No! Agree leave to mother nature.

Female dogs need to have pups or (become) neutered to prevent uterine infection.

I believe mother nature will take care of not being able to overbreed.

Leave to mother nature.

I agree with the subsidizing if we are regulated on the litter of puppies per female.

Find facts from three dog food companies that can give us studies that have been done on breeding frequency.

It's time we bond together and do something about the Humane Society.

There are already studies available.

This is pretty far off the track. "Good" dog food is the answer to a healthy animal.

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**BASIC POSITION ON BREEDING FREQUENCY**

- 1) USDA should adopt the current AKC regulation. We find it to be sufficient.
- 2) Fertility regulation should be left to owner, veterinarian, and nature.
- 3) Additional regulation will not put unethical breeders out of business.

**Additional Comments:**

Age does not seem to be a problem as far as breeding is concerned. The female just doesn't cycle as frequently or have as large a litter.

No dog should be sold, spayed or neutered. Taking away from freedom of choice.

I do not believe in spaying or neutering 6-week old puppies. I do not believe it is healthy for the puppy as they are not physically mature. Also there has not been medical data to support this.

Keep government out of neutering.

Less regulations.

Give inspectors more power to close bad kennels faster.

Inspectors (having) more power could be dangerous.

Rules should be enforced and no new rules passed.

Current rules allow my kennel to provide my dogs good health and productivity. I work to keep my animals and facility above standard.

Whether any dog gets spayed or neutered should be strictly only decided by buyer of puppy!!

I disagree on the neutering of puppies sold to pet stores.

Enforce laws already on the books.

We need less government regulations. Let the breeders decide when the dogs need veterinary care. We must raise healthy dogs to have good dogs so we will use veterinary care when needed.

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Have the same laws apply to all people breeding dogs and showing or selling them.

Inspectors should be helpful and zero in on dogs and kennels that are really in need of help.

No mandatory spay/neuter. Some people don't like (dog to be) neutered even if it never has pups.

A broker will not buy a puppy with limited registration.

Spay/neuter pups with problems only. Sell with limited reg.

Limited edition on AKC papers which they cannot breed this dog.

Let the breeder manage the breeding.

Don't regulate and require spaying or neutering in any instance. That's the buyer's business only.

Many in this room may have the animal's health and best interest in mind perhaps, but many not here today see breeding animals as factories for profit and need to have limits.

Come on -- Government to regulate less is more desirable than more.

All animals that give birth contribute to overpopulation.

AKC should have more to say about frequency of breeding? Feed is very important for breeding frequency.

Subsidizing us is not the answer. and is a little silly to bring up -- not productive.

This point is open for debate -- over breeding can affect health.

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**MORE EQUAL AND UNIFORM ENFORCEMENT**

1. Anyone housing 10 or more brood females must be USDA inspected regardless of who they sell to.
2. Inspectors should put a ranking of seriousness of problem in report as to those which will truly affect well being of animal and those that won't.
3. Give inspectors more backing to speed up closing process for really bad kennel conditions.

**Additional Comments:**

Then open the Act itself and do what is right.

Act of Congress -- beyond meeting scope?

Why does USDA not stand up for the licensed kennels who are trying to do a good job.  
Reference is made to humane society news film presented on WDAF TV last night, with no rebuttal by USDA.

Everyone under same regulations including show, humane, and activists.

Keep the activist groups under control. Don't let them make the changes.

USDA could rate kennels according to quality of kennel.

Unfortunately the good folks who trudge along day after day trying to do a good job never make the news, even though they're by far the large majority.

If all dogs are sold spayed and neutered, where's breed stock going to come from, and it's not fair to the new owner.

**VOTE RESULTS BREEDING FREQUENCY**

No regulation of breeding frequency = 42 hands  
Yes regulate breeding frequency = 1 hand

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**Flip Chart Results**

**Do Not Regulate Frequency of Breeding  
Unhealthy Animal Shouldn't**

A companion animal reproduction panel should:

- 1) Examine science issues of breeding frequency.
- 2) Economic impact.

**ENFORCEMENT**

Collaborate with local agencies of law enforcement.

Eliminate red tape that interferes with USDA enforcement.

Breeders should also get opportunity to evaluate the inspector's performance. (Would focus on both positive and perhaps negative performance comments.)

**INDUSTRY**

The pet industry is not an objective advisor to breeding frequency because it will affect their \$.  
Pet industry advisor should be on panel.

This advisory panel must be made up of pet breeders as they know what is best for the health and well being of the animal.

Advisors should be pet breeder or industry.

Advisors should be from the pet industry.

The pet industry should be on advisory panels.

No advisor for us from American Humane Society. We are USDA regulated and they are not qualified in this industry.

The advisory group must include a number of veterinarians and breeders.

It doesn't make sense to have the regulated body as numbers of the advisory board.

**VETERINARY CARE BETWEEN YOU AND YOUR VETERINARIAN**

1. What does the animal need? (Veterinary check guidelines)

Food, shelter, water, socialization, vaccinations, internal and external parasite control, disease control, ventilation, reproduction, grooming (ear and eye and coat care), first aid, reducing stress, incompatibility, procedures (such as the how to's), euthanasia methods.

2. We need access to continued education, classes or seminars. USDA should consider providing education materials for licensees.

## **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

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3. Work for more USDA enforcement of current laws on the books in a uniform manner.
4. Feelings were that the animal should have access to water in facilities more frequently than the current 12 hour regulation and/or enforce current regulations.
5. Some wanted hands on exams by USDA inspectors while others felt the current system works and that hands on exams could lead to disease spread.
6. Are there procedures for USDA inspectors to prevent disease transmission by universal precautions?
7. Define the term: veterinarian/client relationship.
8. A veterinarian can't be his own personal or primary medical advisor if he is a class A, B, or C dealer.
9. Most felt new rules and regulations only affects the compliant licensees and not the ones that are ruining the image of the pet industry.
10. Certification of dealers is something to consider.
11. Continue this forum of coming together with groups of common goals and interests for the animals' welfare.
12. Non-compliant facilities should require more frequent inspections and/or veterinary visits until problems are resolved.
13. USDA should stand by USDA licensee that supports the program.
14. Providing constant access to water, etc. should be discussed.

### **Additional Comments:**

Define veterinarian-client relationship.

Constant access to potable water for all animals housed.

Inspectors should be able to physically examine animals.

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More than one group should be involved in shutting down a facility and deciding if animals are to be euthanized.

# USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

4. Transportation, Kansas City, MO Feb. 21-22, 1996

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## 4. KANSAS CITY SESSION: Transportation by Land and By Air

### Ground Rules:

Self Managed Breaks

Give everyone a chance to participate

Focus on issues - not positions or individuals

Agree to disagree

No quotes or attributions when reporting out

### Purpose:

Provide input into USDA process for reviewing regulations

Listen and gather information

Identify key issues

Compile recommendations for improvements to regulations

Identify common ground

Identify issues difficult to resolve

### Work Session:

Introduction

Idea Generation

Sub-Groups - Define issue

- Identify improvements or modifications

Report out to work group on flip charts

Feedback

### Day 2

Subgroup to incorporate feedback and develop recommendations

Report out to group on flip charts

## IDENTIFICATION OF KEY ISSUES IN TRANSPORTATION

1. Health certificates from breeders across state lines.
2. Animals delayed in transportation. who is responsible for care during delay.
3. Establish guidelines for ground transportation.
4. Size of container used in transport (min/max.)
5. Reporting by airlines each year. Total number who died or were lost.
6. USDA and airline get together - definitions, consistency.
7. Long distance ground transportation, distributors, anyone.
8. Training of personnel handling animals - approved program.

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**4. Transportation, Kansas City, MO Feb. 21-22, 1996**

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9. Clearly define intermediate handler.
10. Paperwork requirements - including treatments.
11. Rejected puppy returns
  - Time in transit
  - Veterinary care in transit
12. Acclimation statements
13. Review of minimum and maximum temperatures - over 4 hours time span.
14. Unlicensed transporters enforcement of existing regulations
15. Air quality in transport.
16. Clarify of regulations during rescue operations.
17. Consistent interpretation by all airlines.
18. How to involve other agencies to enforce regulations/and authority.
  - Consistency
  - Private practitioners/accredited vets
19. Survey pet stores for transportation methods, loss, etc.

[After identification of issues, the session participants grouped and selected several issues shown below for further work. They were instructed to define the issue further and identify improvements or modifications.]

#### **AIRLINES**

5. Reporting by airlines each year. Total number who died or were lost.
6. USDA and airline get together - definitions, consistency.
17. Consistent interpretation by all airlines.

#### **GROUND TRANSPORTATION**

3. Establish guidelines for ground transportation.
7. Long distance ground transportation, distributors/anyone.

#### **COMMUNICATIONS**

8. Training of personnel handling animals - approved program.
9. Clearly define intermediate handler.
14. Unlicensed transporters enforcement of existing regulations.
16. Clarify of regulations during rescue operations.
18. How to involve other agencies to enforce regulations/and authority.
  - Consistency
  - Private practitioners/accredited veterinarians
19. Survey pet stores for transportation methods, loss, etc.

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

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### HEALTH AND WELFARE OF ANIMALS

1. Health certificates from breeders across state lines.
2. Animals delayed in transportation, who is responsible for care during delay.
4. Size of container used in transport (min/max.)
10. Paperwork requirements - incl. Treatments.
11. Rejected puppy returns  
time in transit  
veterinary care in transit
12. Acclimation statements
13. Review of minimum and maximum temperatures - over 4 hrs. Time span.
15. Air quality in transport.

### AIRLINES

1. Temperature acclimated statement - get rid of it.
2. Temperature regulations should include - windchill and humidity.

#### Additional Comments:

This might be a little to the extreme the animals will be in an enclosure.

I don't agree with this. If the temperature regulations get left where they are and the windchill and humidity are considered, we could hardly ever find a day suitable to fly animals.

3. Mandatory crew notification.
4. Consistency in training and interpretation and enforcement of USDA regulations.
5. Animals statistic reporting (no agreement reached.)

#### Additional Comments:

Do the airlines have an avenue to collectively have input in the standards?

### GROUND TRANSPORTATION

1. Written procedure for emergency backup on board.
2. Establish an advisory group for analysis of ground transportation issues.

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**Additional Comments:**

Some how definition will have to be clear as some breeders travel far to brokers do not travel far to shops.

3. Revisit the definitions of Class "B" dealer and intermediate handler when transportation of animals are the issue.
4. Definition or establish requirements for long distance conveyance vehicle.

**COMMUNICATIONS**

1. Training of personnel handling animals (ground.)
  - A. Responsibility of owner-employer to train employee/handler to fully understand and perform all handling duties according to existing regulations established by USDA.

**Additional Comments:**

Public awareness of USDA regulations (What can the USDA do to educate the public?)

2. Clearly define intermediate handler.
  - A. Eliminate the term intermediate handler.
  - B. Modify the definition of B dealer to be distributor and a transporter as such (transporter.)
3. Unlicensed transporters
  - a. Enforce existing regulations.
4. Clarify regulations during rescue operations.

**HEALTH AND WELFARE OF ANIMALS**

1. Health certificate - transporter
2. Delay in transport - who is in charge - transporter.
3. Size of container - page 48 enforce it.
4. Paperwork requirement - remove 3.13. Removal of #4

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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**COMMUNICATIONS**

1. Training of personnel/handling animals (ground).
  - A. Responsibility of owner-employer to train employee/handler to fully understand and perform all handling duties according to existing regulations established by USDA.
  - B. Legislative and Public Affairs (LPA) make available additional information to educate public.
  - C. Expand distribution areas for information already available at airports to include: pet shops and veterinarians etc..
  - D. Training information added to USDA booths at conventions, seminars, and public meetings.
  - E. Air transportation training encouraged for air transportation personnel.
  - F. Local inspectors need available information to assist in training for breeders, distributors, and the general public.
2. Clearly define the term intermediate handler.
  - A. Eliminate the term of intermediate handler.
  - B. Modify or simplify the following terms (to read as follows):  
Class A - breeder  
Class B - (broker to) distributor  
transporter - anyone who transports (not listed above).  
(Delete to terms Class A and Class B to just breeder and distributor.)
3. Unlicensed transporters
  - A. Enforce existing regulations
4. Clarify regulations during rescue operations.
  - A. Item not covered by USDA regulations
  - B. Should be state or local issue.
5. Involvement of other agencies to enforce regulations and give them authority to enforce.

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No involvement except by USDA or State inspectors.

**GROUND TRANSPORTATION**

1. All animals need to be protected at all times when in transportation.
2. Same rules should apply to all conveyance vehicles transporting animals.
3. Facilities must have written emergency plans on all conveyance vehicles when in transport.
4. Establish an advisory group for analyzation of ground transportation issues (including field inspectors).
5. Delete intermediate handler from section 3.13 CFR.

**AIRLINE**

1. Temperature regulations are being looked at in regards to heat and humidity. Group did not reach consensus. After result of study, revisit maximum temperature.

Max temp within the 4 hr. Rule 45 minute rule needs to be studied, needs consistency.  
Min. Temp = 10 degrees, max. Temp. = 85 degrees. Also revisit min. Temp and have consistency between 45 and 4 hr. Rule. Continued debate.

2. Mandatory crew notification should be required.  
Consistency in training interpretation and enforcement of USDA regulations.  
Airlines  
USDA  
Shipper and others  
Groups need to work more closely together.
3. Acclimation certificate  
Not effective  
Drop acclimation certificate and/in conjunction (only) with temp. Parameter review (lower min. temp).
4. Reporting of statistics to get a total number per year to include the number that died and the number that were lost - did not agree.

**Other comments**

Health certificates from breeders across neighboring states (15-20 miles).  
Health certificates refer to advisory boards and state/USDA officials.

# USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996

## 5. ST. LOUIS SESSION: Space Requirements for Primary Enclosures and Room for Exercise

### STRAW POLL

1. More regulations	6
2. Less regulations	6
3. Improve on what is there	30
4. Leave as is	2
5. Better enforcement	28

### IDENTIFICATION OF KEY ISSUES:

#### Space

- socialization - 4 votes
- comfort - adequate space - 5 votes
- simplify space standards - 3 votes
- allow more space - 7 votes
- less space per each small dog - 0 votes
- free access to exercise space or it should not count - 4 votes
- space for dog to get out of way of cage washing - 2 votes
- house dogs inside heat/cool - 0 votes

Inclusive of all who deal - 22 votes

Differentiate State/fed regulations - 12 votes

- either/or - not both - 1 vote
- too frequent inspections - 1 vote

Clarification/standardization, uniformity - 13 votes

Consider space requirements for cats - 3 votes

More access/openness of USDA records - 0 votes

Support regulations as written - 16 votes

Changes made by objective/scientific data - 7 votes

Performance standards - preserve - 2 votes

Enforcement - 44 votes

- more frequent
- noncompliance
- rating
- no more regulations
- adequate as written
- hidden animals - permanent revocation

Type of mesh - 0 votes

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996**

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**FIVE TOPICS CHOSEN FOR DISCUSSION:**

- ENFORCEMENT
- INCLUSIVENESS OF ALL WHO DEAL
- GRAND FATHERING
- STATE/FEDERAL REGULATIONS
- SPACE

The only issue listed under exercise was socialization. No one voted to discuss.

Sixteen (16) people voted to support the regulations as written with no discussion.

**LICENSING LAW-INCLUSIVENESS OF ALL WHO DEAL**

**Define/issue:**

- no exemptions if you have 4 or more intact females.

**Actions:**

- delete all regulations to coincide with the aforementioned issue.
- assure that all Missouri regulations are the same as USDA regulations.
- strive for compliance in all 50 States.

**Comments:**

Under define/issue, add "housed on the same premises regardless of name of registration papers."

Agree.

Anyone who raises 2 litters per year should be USDA licensed. AKC should not register litters from that individual without license.

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996

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### DUAL INSPECTIONS BY STATE AND FEDERAL

Since Federal is primary inspector, no need for State.

Reasons for 1 inspection:

1. Conflicting regulation.
2. Waste of money.
3. All States would be uniform.
4. If facility meets or exceeds USDA requirements, it should be exempt of State regulations.

Comments:

State inspections done only in addition to USDA Federal inspections -- not in lieu of.

These suggestions promote smaller government, which is needed.

Agree.

Dual inspections extra expense when all departments are trying to downsize.

### GRANDFATHER CLAUSE

If rules are changed, some form of grandfather clause will be needed such as:

- until structural repairs are needed.
- when changes are made, they would need to be in compliance.

Comments:

If rule change, no grandfather but allow time to come into compliance.

Grandfather clause is a must if any changes are made.

Grandfather clause must be included.

Grandfather clause a must.

Use the phase-in program when changes are made or repairs needed. Do not put a time limit on this.

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996**

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**ALLOW MORE SPACE FOR EXERCISE**

- Make all regulations easier to understand and compute.
- Current spaces are sufficient. Majority opinion.
- If changes are needed, they must be scientifically needed.
- Space formula by weight instead of by size.
  - Minimum 12 sq ft - small dog (Minority statement)
  - 20 sq ft - medium size dog
  - 24 sq ft - large size dog
- "Grandfather clause" or "phase-in period" if any changes are made.
- Better and more uniform enforcement.
- Feel the issue of tethering needs to be left up to the breeder. Unconstitutional to dictate on this issue.
- Space adequate as written.

**Comments:**

Cages should be made of stainless steel, fiberglass or other impervious material.

Allow potable water at all times. Temperature in kennel should be 75 degrees for infant animals and 60-70 degrees for adult animals. (Clarify temps)

In shared kennels, each animal should have room to stand on hind legs, lie down, turn around, and sit normally. Minimum of 4 ft x 4 ft for each dog -- 5 ft x 10 ft. shared kennel. Not allow more than 2 large or medium dogs or 3 small dogs.

Dogs confined in cages should be exercised in runs at least 4 ft x 10 ft, two times daily for at least 20 min. each

Feel tethering should be left to the individual choice.

Picture for example of cage sizes.

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996**

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Current space sufficient as long as minimums are met.

All regulations are sufficient.

No tethering

I feel space requirements are adequate for exercise, etc. Need height so can stand on hind legs.

**EQUAL & UNIFORM ENFORCEMENT OF EXISTING REGULATIONS**

1. Focus inspection/enforcement activities on below-standard licensees.
2. Faster response to problems/complaints.
3. Stiffer penalties on repeat offenders.
4. Faster revocation of license when indicated.
5. Immediate, permanent revocation of license for "hiding" animals from USDA inspectors.

**Comments:**

License, regulate and inspect greyhound breeders and dog race tracks.

No incentive to facilities in compliance simply because they're obeying law.

License revoked and business halted while non-compliant facility is under investigation.

Inspect everyone. Include all -- boarding kennels, humane shelters, hobby and show breeders.

Inspect everyone -- show breeders, hobby, kennels, boarding facilities.

Consider testing or training of new licensees before issuing new license.

License, inspect greyhound breeders and dog tracks.

Recommend redefining Class B dealer to selling to research and set up new licensing categories (e.g., Class R for all dealers selling to research).

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**5. Space Requirements, St. Louis, MO, Feb. 23-24, 1996**

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**ROOM FOR EXERCISE**

**Socialization**

\*\*\*\*CURRENt REGULATIONS ARE SUFFICIENT.\*\*\*\*

May have another dog or cat or human for socialization.

Strong opposition to excluding this option (having another dog, cat, or human sufficient for exercise) from current regulations.

**Comments:**

Dogs would benefit if allowed to run in grass, lots if possible.

Illinois requires cement runs, which limit practical application for exercise of large breeds.

Dogs need contact with other dogs and people – like at least 2 to an area.

Disallow "another dog" as exercise.

Dogs should be exercised by either walked two times daily for 20 min. Or put in large run two times daily for at least 20 min.

**Report Out of the Groups**

Good kennels inspected less often. Rate violations as to severity.

Resolve discrepancies between State and Federal law.

Some prefer "phase-in" vs. Grandfather.

Recommend tethering only in temporary situations. Space should be by size rather than weight.

USDA's Secretary should recognize that animals are USDA "customers" as well as breeders, dealers, etc. The facilitator and group did not include in workshop discussions because the point was raised too close to the end of the time allowed, but they suggested that it be presented to main group.

# **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

**6. Sanitation, Materials, etc., St. Louis, MO, Feb. 23-24, 1996**

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## **6. ST. LOUIS SESSION: Sanitation, Materials, Flooring, and Construction of Primary Enclosures**

### Purpose

Give input to USDA for their process of reviewing the regulation.

Listen and gather information.

Identify Key Issues.

Come up with recommended action.

Identify common grounds

Identify "Tough to resolve" Issues.

### Process

Generate Ideas

### Subgroups

Define issue

Discuss

Identify Action

Record on flip chart

Report to breakout groups

Clarify

Feedback

### Day 2

Clarify Comments

### Subgroup

Restate Issue

Incorporate Feedback

Summarize Action

Report on flip chart

Report to breakout Groups

Chairs/Facilitators/Resource Team develop 10 minute report

Chairs report out recommendations

Feedback

Evaluations

### Ground Rules

Self-Managed Breaks

Focus on the situation or issue - not the individual

No Quotes or Attributions

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**6. Sanitation, Materials, etc., St. Louis, MO, Feb. 23-24, 1996**

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Let everyone participate

Agree to disagree

**STRAW POLL**

More - 6

Less - 6

Improve regulations - 30

Leave as is - 2

Better Enforcement - 28

**ISSUES IDENTIFICATION**

(Members of the breakout group were asked to individually identify the 2 or 3 most critical issues that must be addressed in relation to the agenda topic, or other critical issues that face interested parties, then ideas were solicited one at a time until all ideas were captured):

- 1) Get rid of wood in relation to housing
- 2) How to monitor sanitation procedures - how to do it effectively
- 3) How to seal cement to prevent germs
- 4) Vet and breeder should work together to decide on what materials that facility is built out of (site specific)
- 5) What are the new space age materials that are used animal friendly and what the resources are.
- 6) Frequency of breeding
- 7) Penalty for anyone that purchases from unlicensed breeders
- 8) Don't change the regulations, enforce them
- 9) Make rule book easier to understand
- 10) Communicate and clarify terms among USDA Field Inspectors and Industry
- 11) An Inspector Academy so they are consistent, and talk same terms
- 12) Extend compliance to Pet stores and anyone who deals with any Pet Animals (rats and mice, also)
- 13) Grandfather Clause
- 14) Approved construction list for building/flooring of primary enclosures  
Materials and Methods
- 15) Require all hobby breeders and show breeders to be USDA licensed
- 16) Scratch "Impervious to moisture" change to "easily Sanitized"
- 17) Clarify size of flooring as relates to breed
- 18) Neuter and spay all puppies sold as pet
- 19) Cleaning under cages should be cleaned daily.
- 20) More notification of these sessions
- 21) Flexible agreement/process between gov/license for the transform of major construction

## **USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**

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- project complete - be specific and consistent
- 22) More clarity on shelter for specific weather conditions.
- 23) USDA State and Fed agree on consistent regulations
- 24) If the Regulations are the same (USDA and State) have only one provide resources
- 25) Quality of Air/Ventilation

### **CONSOLIDATED AND PRIORITIZED ISSUES**

(The group reviewed the key issues as generated, and combined similar topics into a consolidated list, then were asked to identify 5 that they thought were most important and on which they would be willing to develop recommendations)

- 1) Materials - 28
- 2) Monitoring Sanitation procedures - 0
- 3) Vet and breeders should work out material -
- 4) Grandfather clause - 21
- 5) Require all breeders, hobby to be licensed. - 7
- 6) Scratch Impervious to moisture - 3
- 7) Clarify size or floor to breed - 11
- 8) Neuter and spay all pet puppies sold at pets - 9
- 9) Communicate and clarify terms among USDA field inspectors and Industry  
    Make the rule book easier to understand - 1
- 10) Frequency of Breeding - 0
- 11) Don't change the rules - enforce them - 30
- 12) Flexible agreement for transforming major construction projects - 1
- 13) more clarity and specification for shelter for specific weather conditions - 0
- 14) USDA State and Federal agrees on consistent regulations - 2
- 15) Have one entity to inspect - the State and the fed provide resources - 0

### **Top Issues**

- 1) Don't change the rules - just enforce them
- 2) Hobby/show breeders/pet sellers to be licenced: Penalties for buying or selling to from unlicensed
- 3) Methods, materials, construction for primary enclosure
- 4) Communicate and clarify terms between Inspectors and Industry - Consistency Inspector Academy
- 5) Grandfather clause
- 6) Have one Inspector entity
- 7) Clarify flooring as it relates to breed
- 8) Neuter/spay puppies sold as pets

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
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**ACTIONS OR RECOMMENDATIONS**

**1. DON'T change the Rules - Just Enforce Them!**

1. Enforcement
2. Timely Corrections
3. Specific penalties on 2nd occurrence of same offense
4. Schedule of penalties
5. Rules easier to understand

**Additional Comments**

Monthly USDA Newsletter

Enforcement should be timely. Immediate if possible (Summons)

Hold regular regional and local seminars for licensees to field questions and reinforce consistency and understanding (including local inspector)

**2. Licensing of hobby, show, breeders, and associated penalties**

All entities with 3 + intact females should be regulated and licensed regardless of wholesale or retail sold for profit or not

Pet stores, shelters, pounds, humane societies must be licensed and inspected also

All animal registries should work directly with USDA and State in order to identify breeders who are not in compliance with laws

Restrict and fine and withdraw licensing from anyone including (Distributors) who purchase from unlicensed breeders.

Create on a State level a Humane Officer to enforce Section 578 of the MO code. This person should have knowledgeable veterinary medicine and law enforcement training and work under the USDA (job requirement must have experience in raising and dealing with animals)

**3. Methods, Materials Construction of Primary Enclosures**

1) Use of suitable materials that are structurally sound for construction. This material is, or shall be made, Resistant to moisture:

Examples of treatment maybe waterseal, epoxy paint, plastic coating, or other suitable coatings.

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- 2) Create a task force for reviewing and recommending (not requiring) various construction techniques, consisting of inspectors, facility owners, and designers, and humane society. This review would cover facility, Support equipment, and primary enclosure. Task force shall meet and publish updated information annually.
- 3) Establish temperate zones for regions and breed specific conditions for required housing, bedding, and temperature control. Bedding materials should be defined.
- 4) Wire size shall be determined by the facility owners and veterinarian (under debate - disagreeing view points)

**4. Communicate and Clarify Terms between Inspectors and Industry to provide greater consistency**

Create an Inspector Academy

Full time training officials (that know the industry) to train inspectors (consistency)

Uniform interpretations of rule book

Hire people with skills and communications skills to convey to individual

"Do unto others as you would have them do unto you"

Inspectors have experience; set statute of limitations on write ups

Have consistent understanding between inspectors.

**Additional Comments**

An evaluation form sent to each site inspected by USDA to ask breeder, etc. to evaluate -

- 1) Was inspection complete
- 2) Did they explain all compliance points
- 3) Were you treated courteously etc.

This evaluation to be used for performance evaluations or continued employment for USDA employee

We don't need any Inspectors

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Put the rules in layman's terms !

Write up should have written duration once taken care of should be dropped

I'll have to brag on the job they do now! !! Many strides have been made !!!

**5. Grandfather Clause**

1. A facility would be honored under Grandfather clause as doing this it meets current (prior to change) USDA standards
2. If laws are changed, we would request a 5 year phase in of new regulations on major changes.
3. A three year phase in on minor changes.
4. Monetary expenses would have to be set by a base from Industry.
5. Establishing an Industry Advisory board for resources.

**Additional Comments**

"Grandfather" means leave existing facilities alone until that facility is replaced.

1 year on minor upgrades (Dog dishes, food, water, non-constructions items)

**6. Council to create uniform cooperative regulations, license, inspect, 1 inspection honored nationwide,**

- 1) Have USDA come up with an advisory board involving States and industry (Pet industry board) (Similar to Poultry board)
- 2) Create Members of USDA licenced
  - a. breeder
  - b. research
  - c. Animal Welfare
  - d. Transporters
  - e. Class B (brokers)
  - f. Pet stores
  - g. State Vets

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

6. Sanitation, Materials, etc., St. Louis, MO, Feb. 23-24, 1996

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Send 10 each breeders, and 2 each of other

Meet twice a year to discuss new (USDA) regulations., or any reg changes, during conception  
not alter the fed.

### Council should be responsible for:

- 1) Help bring about more uniformity and consistency between State and USDA.
- 2) Review any legislative changes during conception
- 3) Meet twice yearly
- 4) Bring to attention any new concerns of upcoming problems related to industry
- 5) Supply suggested solutions to the above
- 6) A liaison between USDA and our industry
- 7) Staggering terms limits not to exceed 2-3 year terms (only 2 terms consecutive)
- 8) Funding

### **Other Group Suggestions:**

- Have this (workshop) and its outcomes reviewed by a breeder board  
(create one)  
Have chairs. breeders(at least 2). Class B Dealers. Animal Welfare. Class A Dealers.  
research. transportation. to review outcomes.
- Two times a year have a symposium for breeders to inform us on new laws/techniques so we can keep up with you
- Monthly Newsletter
- To have uniform rules/regulations between all states. Have a spirit of cooperation between State and Federal groups. For the State to honor the USDA reports

Intentionally Left Blank

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

7. Veterinary Care and Breeding, St. Louis, MO, Feb. 23-24, 1996

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### 7. ST. LOUIS SESSION: Veterinary Care and Breeding Frequency

Need room for improvement on regulations.

Want no regulations on breeding frequency (53)

Want " " " " (5)

This group was so large it had to be divided into two subgroups. Each group discussed similar topics and related issues.

#### First Group (Vicki Bridges)

#### BRAINSTORMING OF IDEAS TO IDENTIFY KEY ISSUES:

Breeding frequency is a natural process.

Why is breeding frequency an issue with USDA.

Education from experienced people.

Ability of USDA inspectors to enforce breeding frequency.

USDA licensed biologics and vaccines.

Establishing standards for veterinary care

Limiting breeding frequency.

Veterinary care between you and your veterinarian.

Sick dogs won't breed.

Certification, training and availability of education materials for newly licensed breeders.

Minimum and maximum age for breeding.

Permanent ID - microchip tattoo.

Breeding frequency depend on health and previous litter.

Breeding frequency best determined by caretaker.

Why USDA veterinary inspectors don't inspect health of animal (policy issue?).

Better enforcement.

Define veterinary/client relationship related to veterinary care/breeding frequency.

Conflict of interest if veterinarian is breeder and providing veterinary care.

USDA not requiring maintaining veterinary care records by USDA.

Outcome/results of USDA reg. breeding frequency.

If USDA reg breeding frequency - subsidize.

More grassroots level participation.

Scientific study on breeding frequency vs opinion is or is not harmful.

Justification for breeding frequency regulation

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Scientific study by professionals in companion animal business.

Scientific study reflect field conditions.

Determine breeding frequency vs health of animal.

Overall benefit of limiting breeding frequency?

Why are we trying to limit breeding frequency?

Overpopulation is a mind set.

If breeding frequency regulations, should include all who produce or sell.

? Breeding frequency limitation increases in black market.

Breeding frequency affects markets if limited - economics of supply and demand.

All litters contribute to overpopulation.

**FIVE KEY ISSUES FROM ABOVE LIST:**

1. Why is breeding frequency an issue with USDA.
2. Scientific study issue.
3. Veterinary care between you and your veterinarian.
4. Economic effects of limiting breeding frequency.
5. Subsidize.

Group Reports:

**1. VETERINARY CARE BETWEEN YOU AND YOUR VETERINARIAN**

Hands on from USDA inspector.

Disease transmission from USDA.

Pups should not be handled routinely by USDA: disease transmission too risky.

More frequent inspections for noncompliance.

Hands on would be impractical for exotics.

Additional Comments

Define the term "veterinarian/client" relationship.

Requirement guidelines for veterinarian: check when inspecting material (including ventilation).

Certification of dealers is something coming in the future?

If veterinarian signs program sheet, how can veterinarian refuse service for any emergencies or quality care?

I think all veterinary care should be left as is with a Program of Veterinary Care (PVC) every three years!

## USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

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### 2. USDA SHOULDN'T REGULATE BREEDING FREQUENCY

Mother nature does it better.

AKC handles it thru their requirements.

Responsible breeders handle this responsibly.

Between animal owner and veterinarian.

Every breed different. Should be based on science.

Cost prohibitive.

Discriminatory.

Handle this industry the same as other agricultural livestock industry.

Other methods available.

Focus on veterinary standards.

#### Additional comments:

No more Government regulations are needed at this time.

Overpopulation is not a result of purebred industry.

Let mother nature take care; unhealthy female will not breed.

Breeding management decisions are best handled thru a veterinarian/patient/client relationship.

Breeding frequency should be regulated by industry, not USDA. Mother nature was not "evolved" in a high volume breeding facility.

AKC has no requirements to limit or control breeding - They only register the numbers being bred. They do not require OFA, CERF, etc. certification to eliminate inherited problems before dogs are bred. How many commercial breeders test for eye problems, hip dysplasia, etc. to eliminate these problems before they breed their animals?

USDA stay out of breeding frequency.

USDA inspectors do not want, nor could they adequately do this job (breeding frequency).

Would also promote deception in registering.

Disease transmission. Supply and demand. Should be handled the same as other livestock.

Leave alone.

Responsible breeders may handle breeding frequently, but irresponsible breeders is what this is all about. Also what is responsible may depend on what USDA regulations say.

How do you define a "commercial breeder?" Where do you determine the line between a "commercial breeder" and a "puppy mill?" How can you control "backyard breeders" - they do not need to be licensed, yet they supply lots of puppies to the general public. These animals may be abused, but if they are not inspected, who can stop them? 74 inspectors in 50 states - how can less than 2 inspectors per state do a good job?

This would be your P.R. downfall - if you link yourselves as an agricultural industry, you will lose your public support.

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Regulate amount of money to charge for spaying/neutering.

Base any considered change on science.

No other animal is regulated by law. This would probably be discriminatory.

Confining animals to cages is not something mother nature would do.

**3. WHY BREEDING FREQUENCY SHOULD NOT BE AN ISSUE OF USDA.**

67% of all bitches registered with AKC never produce a litter.

Less than 7% of all puppies sold go through pet stores.

Additional comments:

Where did you get your figures? AKC

The breeding of purebred dogs is not the main contribution of pet overpopulation.

Breeding of purebreds does contribute to overpopulation - cause they have mixed offspring which end up in shelters.

If it was up to the dog to make the choice, would she breed every heat cycle?!

Every litter contributes - your puppies make more puppies who make more puppies.

And your point is?

25% of animals in shelters are unwanted purebreds, according to HSUS & AHA.

Are there any proven facts to prove breeding a bitch at a natural heat is harmful to the bitch.

**4. USDA (TO) PROMOTE PET INDUSTRY AS A VIABLE INDUSTRY**

Communication with national and state organizations promoting the common goals.

Working with national and state organizations to promote education and disseminate information for the benefit of all concerned.

Scientific and marketing studies to distinguish between actual and perceived problems.

Cooperate with the commercial industry to help eliminate substandard facilities.

a) Give credit to the industry when they assist.

b) Help monitor press and identify substandard facilities as a minority.

c) Identify overpopulation of animals not caused by the commercial industry.

If breeding frequency is monitored, treat us like other agricultural programs and make participation voluntary with subsidized payments.

Recognize the pet industry as USDA does with the beef, dairy, poultry producers.

Additional Comments:

USDA is doing a fine job.

Those are Missouri jobs for Missouri people willing to work for a living.

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USDA regulations are sufficient; rule breakers are the problem.

Here, here on monitoring press.

USDA needs to sufficiently enforce what's in place not increase the cost of compliance with increased regulations.

If production is cut, it will cause someone who would only raise a few would have to double or triple to keep livelihood.

Subsidy payments are impractical. Government is trying to downsize, and many people have taken advantage of Government subsidies.

They do need to subsidize if they cut our production.

Even USDA believes that the USDA is not doing a good job?

Cooperation not only with industry, but with humane groups (with law enforcement authority).

What if anything is going to happen with the unlicensed breeders? There needs to be a mechanism to find illegal breeders and puppy mills or better the image of legitimate breeders.

Need a mechanism to ensure that someone who gets a license revoked in one state cannot start over in another state. Revoke all of the registration privileges.

Amen - Put results and comments on APHIS' worldwide WEB server.

### 5. ECONOMIC EFFECTS

Common people couldn't afford.

Supply and demand should be met.

Would deplete livelihood of pet industry.

Pet industry would not suffer if pet stays in home all its natural life.

Affects many related businesses.

Limiting breeding frequency will cause the black marketing of pups to flourish! Costs of pups would increase. pet stores would seek less expensive sources. i.e.. unlicensed breeders.

Breeding frequency (at) discretion of breeder.

Could create deception in record keeping.

Supply and demand will regulate.

Supply and demand will regulate all businesses.

Regulate puppy population. Thus no overpopulation in purebreds.

Dogs and cats are not machines cranking out animals. They are living, breathing, feeling, loving animals. To squeeze out every puppy or kitten from them they can is inhumane.

Purebred pets are not overpopulated. non-purebreds are.

Commercial breeding does contribute to pet overpopulation. If not the animals bred in facilities, then their offspring. Breeding every other cycle would help. Some shelters euthanizing animals report that 20- 40% of their stock is purebred dogs and cats.

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**6. INSPECTION**

Have a definite policy for inspection periods based on the number of deficiencies in the yearly inspection. Also the USDA and the Agriculture Department of Missouri should develop a well defined protocol for who should inspect, when, and have good\* communication between the two agencies in the form of a policy of unannounced inspections.

- \* Veterinary care and inspection should be uniform and follow USDA guidelines (and should be made aware of said guidelines).
- \* Inspections should be rigidly enforced!
- \* Federal inspections should be for everyone? Hobby, show, backyard breeders!! What about taxes?? Humane society facilities, etc. including hunting breeders.

**Additional Comments:**

No money to regulate show dog industry - not politically hot.

Everyone needs to be inspected who sells pups or cats.

All dog breeders should pay fees and have to be inspected if they sell dogs.

Hobby breeders should remain USDA exempt.

To make it uniform, they need one inspector.

State of Missouri Animal Care Facilities Act was not passed to assist USDA, but was passed because the State legislature discovered USDA was not doing job.

This is not the breeder welfare act – it's the Animal Welfare Act.

Our quality puppies/kittens are not the true contributors of overpopulation!

Every animal born contributes to overpopulation.

**7. SCIENTIFIC STUDY**

Breed specific statistics.

Multiple trials.

Available date - sources - reviewed -Anderson 70's - Supplied to study team.

Study Team - I

Credentials: Animal scientists, animal reproduction specialists, D.V.M./Ph.D's; breeders; statisticians; epidemiologist (?).

Focused on frequency.

Purpose of study.

Health benefits (pro or con) to limiting breeding frequency.

Funding: USDA and private industry.

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### Additional comments:

We need fact not fiction.

Scientific studies cost money; who shall pay? Government is already overburdened with research money requests.

No changes without scientific data to backup theories. Research needed.

Study to determine what percent of animals which go through an animal shelter come from a commercial breeder.

Study to determine the percent of animals adopted from animal shelter/humane society kennels which are neutered/spayed before leaving the shelter.

For scientific studies - contact national breed clubs for some of this information. If a certain breed has a specific problem with that breed, they try to collect and disseminate this information to their members. The AKC can supply names and persons to contact for breed club information.

I would suggest adding a humane rep. to this group to prevent allegations of biased data.

Analysis data should represent common field conditions.

### Extra comments

1. Add no regulations. Have adequate regulations now.
2. Should not have USDA regulation frequency of breeding.
3. Females are happy with puppies.
4. Females regulate themselves by only having 2 cycles in a year.
5. It's unfair. Discriminatory against breeding industry.  
    Cannot select a certain group and single them out.
6. Other ways available to control number of animals.
7. Crossed out.
8. Regulate the veterinarians in the amount of money charged to spay and neuter.
9. Focus on veterinary care standards.
10. Base changes on scientific evidence or studies.
11. Handle in this industry the same as other agricultural livestock industry.

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**Second Group (Deb Millis)**

**(A)**

Regulation of the breeding frequency.  
Age of first and last breeding.  
Fairness of breeding frequency regulations.

**(B)**

Good inspection regular, timely.  
Good enforcement.  
Protocol for process resolution.  
Enforcement of regulations - Who should it apply to.  
Commercial kennels

1 time per year - No guidelines for inspections/veterinarians.  
Under what conditions should a pet be seen mandatorily.  
Who should regulate/enforce.  
Cooperation between enforcers.  
Who should inspect/who should enforce.

**(C)**

Veterinary care inspections should only apply to USDA-licensed facilities.  
Fairness of how the regulations are applied - veterinary care.

**(Unlettered)**

Leave things like they are.  
"Keep your nose out. USDA."  
Support/recognize/foster the 'good' actors.  
Self-Regulation.  
Look at breeders like a viable industry.  
Stopgaps to prevent this.

1. Regulations of number of breedings per animal.
2. Age of first breeding (and last breeding).
3. Good inspections and enforcement.  
    regular and timely inspections.  
    protocol for follow-up information sharing between agencies.
4. Enforcement for only licensed breeders?  
    or average persons?
5. Inspection of commercial kennels - no guidelines.

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6. Licensees should not be only ones subject to breeding frequency rules - not fair.
7. Only USDA licensed facilities subject to veterinary care?  
Should we apply to other kinds of facilities? (shelters, kennels, racehorses, etc.)
8. Under what conditions is it mandatory for a pet to be seen by veterinarian?

### **Comments:**

Don't want more regulation to appease humane societies. This is an honorable and legal profession.

Professional and hobby breeders - only hear about bad apples.

Bring together self-governing body among industry. They will turn in bad apples.

If industry did self-regulate and get bad apples out, humane society wouldn't need to inform public about them.

Industry does call USDA or State to report violators -- cannot force authorities to do anything.

Would like USDA to treat breeders/dealers as an industry on par with other agricultural industries which would mean they would work with them, cooperate, promote them, etc.

Usually commercial industry gets slammed by press over when they have helped to close a violator down. USDA should help with that press coverage. The industry would be more likely to cooperate if they feel they are being supported.

People are unsure who to call (State or USDA) -- Who is responsible for inspecting violators?

## **FIVE MOST IMPORTANT ISSUES**

1. Don't change rules, enforce ones you have.
2. Hobby or show breeders/pet sellers should be licensed.  
Penalties for buying from unlicensed dealers.
3. Materials for construction of primary enclosures  
(clarify as it relates to breed).
4. Inspector academy.
5. Grand fathering.

Friday, February 24, 1996 - St. Louis (2nd day)

## **BREEDING FREQUENCY MUST BE REGULATED- A MINORITY VIEWPOINT**

Animal welfare not just related to science.

Mother nature doesn't breed every cycle.

Increase the health and survival of pups and increase profits.

Mom Nature doesn't do a good enough job.

She doesn't keep dogs in cages.

She's not involved in high volume breeding.

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**Additional Comments:**

Animal welfare is not restricted to "science" alone.

Obviously not well enough or we would not even be here.

Mother nature was not "evolved" in a high volume breeding facility.

In "nature," an animal would not breed every cycle.

Mother Nature would not be a reasonable argument for preventing and treating diseases in animals or people. We need to promote optimum care.

If that were always true, 150 Congress people would not have written to Secretary Glickman.

Untrue.

Increasing the health and survival of fewer pups born would actually increase profits.

There is no law regulating other animals. Do not regulate dogs and cats.

This is discrimination - this is a decision that should be left up to the breeder and their veterinarian.

Causes delivery problems if skipped. Don't do it!

Please no USDA regulation on breeding frequency!

This should not fall under USDA regulations. This should be veterinarian/breeder decision.

Would a pet owner ever agree to breed his/her pet every heat cycle starting at 6 mos?

If breeding frequency goes through in dogs, what's next?? hogs, cattle, humans!!

This would discriminate as no other animal is regulated.

Breeding frequency should be between breeder and veterinarian.

This should not be regulated. Should be between breeder and veterinarian!!!

Please no more regulations on breeding frequency.

Skipping dogs causes delivery problems. Veterinarians contend it's ok to breed each time during prime breeding years.

Breeding frequency should be between breeder and their veterinarian.

Mother nature does not regulate any wild den animals. Dogs are den animals except loved.

This is not correct. Nature doesn't tell cycling females to skip cycles!

No - but nature allows animals the opportunity to make a choice.

Mother nature also does not try to make a profit.

There is no evidence that too much breeding is harmful. Female dogs or cats are well taken care of. No breeder would do anything to harm a female that is taking good care of them (supporting the breeder).

**USDA TO PROMOTE PET INDUSTRY AS A VIABLE INDUSTRY**

1. Communicate with state and national organizations to promote common goals.
  - a. Assist in organizing forums to discuss solutions to differences in opinions regarding the direction the industry should take (i.e. overpopulation, substandard facilities).

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- b. Improve the enforcement of existing regulations without creating new regulations.
- c. Work with Federal and State agencies, local law enforcement agencies, humane associations, and national and state industry groups.

2. Work with national and state organizations to promote education.

- a. Scientific and marketing studies to distinguish between actual and perceived problems.
- b. Disseminate information for the benefit of all concerned.

### Additional comments:

How do they know they are purebred?

Nationally, 25% of dogs in shelters are purebred.

- 3. Cooperate with the commercial industry to help eliminate substandard facilities.
  - a. Give credit to the industry when they assist in the rescue of mistreated animals.
  - b. Help monitor press and identify substandard facilities as the minority.
  - c. Identify the source of unwanted animals to help in the solution of overpopulation.
    - 1. There is a demand for purebred animals produced by professional breeders.
    - 2. Educate consumers and retailers on the benefit of spaying and neutering.
  - d. Improve the enforcement of existing regulations without creating new regulations.
- 4. If breeding frequency is monitored, treat the pet industry like other agricultural programs.
  - a. Make participation voluntary.
  - b. Subsidize producer participating in program.
- 5. Recognize that animals produced by our industry contribute to society.
  - a. They assist in helping the blind and deaf citizens become more independent.
  - b. Benefit individuals with health problems (e.g. epilepsy, asthma, autism).
  - c. Recognize the human-animal bond.

### Additional Comments:

The breeding females who usually never get sold as pets - what's the benefit to them?

Animal shelters should turn the unwanted animals over to the research facilities to help support medical research that benefits everyone.

Vast majority of breeders place their older breeders as pets. Otherwise they are nonproductive yet still costing. This is economical and humane!

The breeding females never make it out of the breeding facilities.

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**ECONOMIC EFFECTS**

1. Common person couldn't afford the cheapest purebred due to lack of supply if breeding frequency was changed.
2. Would deplete livelihood of the pet industry.
3. Would affect many related businesses such as: feed companies, clear down to the personal pet owner.
4. Breeding frequency should be determined by the pet owner and their veterinarian.
5. In conjunction with #1: supply and demand will regulate the amount of puppies produced. Overpopulation is not due to purebred animals being produced by the pet industry. Everyone's right to free enterprise!
6. This is not the Breeder Welfare Act we're discussing.
7. Many "non-purebreds" have purebred ancestors - especially those in U.S. animal shelters.

**WHY BREEDING FREQUENCY SHOULD NOT BE AN ISSUE OF THE USDA**

1. Encourage pet owners to spay/neuter animals, not limit breeding frequency.
2. Less than 1/3 registered females ever produce a registered litter.
3. No government control as to breeding of any animal breed (cattle, horse, pigs, etc.) in the U.S.
4. No statistics available on health benefits of controlled breeding frequency.
5. Constitution gives us the right of free enterprise.
6. USDA rules should apply to all dog/cat owners, not just professional breeder.

**Additional comments:**

Not at the expense of others.

The purpose of USDA regulation is not to protect free enterprise but to protect the animals. And it does.

The animal is the customer, not the people.

The breeding frequency issue relates not only to health, but the animal's well-being.

Journal of AVMA has published studies illustrating the link between poor health of females and puppies and breeding frequency.

**STRAW POLL: Should USDA Regulate Breeding Frequency?**

No 52 Yes 5

Majority Opinion: Breeding Frequency - USDA - Leave It Alone

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### Reasons Against Regulating Breeding Frequency:

1. Cause dishonesty on registering litters (Put 2 litters on 1 litter reg)
2. No more government regulations are needed at this time. We need to utilize and enforce those that are already in existence.
3. More government regulation is not necessary if they were enforcing the regulations already on the books. Breeding frequency is not an area of government concern. It should be a decision made by the breeder on a per dog basis, in accordance with guidance from the veterinarian.
4. It would force ethical breeders out of business -Cause the price of pets to skyrocket.

### Additional Comments:

Breeding frequency should be regulated by industry, not USDA.

Everyone involved in the pet industry should visit and understand the job the humane shelters, animal controls & rescue groups must do with the end product of the breeders, dealers, etc. from the general public who purchases their product (dogs, pups, etc.) cats, kittens, exotics, etc.) only to dispose and purchase, dispose and purchase, on and on and on.

Humane Society turn dogs over to research facilities instead of using euthanasia.

The problem is from the general public not having their pet fixed.

The humane shelters should turn the animals they would euthanize over to research facilities to benefit the public through research.

Breeding frequency should be left between the breeder (taxpayer) (human) and their veterinarian.

This is not a government issue!!!

Legislators should go with USDA inspectors so they can see what commercial pet breeders really are like.

If the Humane Society/animal shelters have the animals' best interests at heart, the unwanted animals would be transferred to research facilities instead of being euthanized.

Government regulation is not needed. This is a decision to be made by the breeder and their veterinarian.

Leave breeding frequency alone. Agree Agree Agree Agree Agree Yes!!

Breeding frequency should not be a government issue!

Not a USDA issue.

True.

Leave breeding frequency alone.

Agree leave breeding frequency alone.

If your industry acknowledges and promotes animals as companions, why is the industry fighting the concept of treating the breeders' mothers more like companions?

Not USDA business.

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USDA is mandated by federal law to protect animals so it is a USDA issue.

Breeders and veterinary issue - not USDA.

No - it's an animal issue.

I enjoyed working with the humane society people more than I thought I would.

The general public purchasing the animals need to be educated by the breeders, dealers, etc.

Overpopulation of unwanted dogs is due to irresponsible pet owners not pet breeders.

I enjoyed the humane society people also. They just need more on hands knowledge.

### **VETERINARY CARE INSPECTIONS**

1. Should be uniform. a. Furnish a simple, precise form to be filled out.
2. Follow USDA guidelines.
3. Attending veterinarian should be furnished USDA guidelines (laymen's terms).

#### **USDA Inspections:**

1. The following should no longer be exempt from USDA regulations.
  - a. pet stores.
  - b. humane societies (animal shelters).
  - c. show breeders.
  - d. hunting dog breeders.
  - e. we would like to include hobby and backyard breeders but financing would be impossible!

To help eliminate hobby breeders - a program for brokers to buy only neutered puppies for pet stores.)

#### **Additional comments:**

Pet industry should be under Agriculture in this state.

Everyone selling dogs should be USDA licensed regardless of number of females.

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**SCIENTIFIC STUDY**

Companion animal breeding (dogs and cats).

Group to design study.

Feasibility study and evaluate prior data

National council on pet population.

Academic researchers.

Veterinarian.

Epidemiologists/population control genetics.

Statistician.

Ph.D. - reproduction.

Animal scientist/nutritionist Professional/Experienced Breeders

USDA/regulators

Advisors:

PIJAC

American Dog Owners Assoc.

American Humane Assoc.

Legislator/legal advice

AVMA

Objective: Breeding frequencies and how frequency relates to health of bitch and puppies

- \* ages
- \* breed specific
- \* environment/nutrition
- \* housing/etc

Funding: USDA

Research data should precede regulations

Additional funds or money from livestock research

Companion animal research

Summary: Regulations require facts!

Additional Comments:

AKC recommendations limit breeding frequency of females - an objective standard.

Advisory panel must be made up of professional pet breeders and veterinarians.

Advisors should be from pet industry.

Pet industry should be on advisory board.

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Advisors should be pet breeders, veterinarian, not PIJAC, Am Humane Soc, legislators, AVMA.  
More people telling us what to do!!

Advisors should be pet industry.

The pet industry is an unobjective advisor to breeding frequency because it will affect their \$.  
Pet industry advisor should be on panel.

This advisory panel must be made up of pet breeders as they know what is best for the health  
and well being of the animal.

Advisors should be pet breeder or industry.

Advisors should be from the pet industry.

The pet industry should be on advisory panels.

No advisor for us from American Humane Society. We are USDA regulated and they are not  
qualified in this industry.

The advisory group must include a number of veterinarians and breeders.

It doesn't make sense to have the regulated body as numbers of the advisory board.

#### **VETERINARY CARE BETWEEN YOU AND YOUR VETERINARIAN**

1. What does the animal need? (Veterinarian check guidelines)  
Food, shelter, water, socialization, vaccinations, int/ext parasite control, disease control,  
ventilation, reproduction, grooming (ear and eye and coat care), first aid, reducing stress,  
incompatibility, procedures (such as the how to's), euthanasia methods.
2. We need access to continued education, classes or seminars. USDA should consider  
providing education materials for licensees.
3. Work for more USDA enforcement of current laws on the books in a uniform manner.
4. Feelings were that the animal should have access to Water in facilities more frequently than  
the current 12 hour regulation and/or enforce current regulations.
5. Some wanted hands on exams by USDA inspectors while others felt the current system  
works and that hands on exams could lead to disease spread.
6. Are there procedures for USDA inspectors to prevent disease transmission by universal  
precautions?
7. Define the term: veterinary/client relationship.

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8. A veterinarian can't be his own personal or primary medical advisor if he is a class A, B, or C dealer.
9. Most felt new rules and regulations only affects the compliant licensees and not the ones that are ruining the image of the pet industry.
10. Certification of dealers is something to consider.
11. Continue this forum of coming together with groups of common goals and interests for the animals' welfare.
12. Non-compliant facilities should require more frequent inspections and/or veterinary visits until problems are resolved.
13. USDA should stand by USDA licensee that supports the program.
14. Providing constant access to Water, etc. should be discussed.

### Additional comments:

Define veterinarian-client relationship.

Constant access to potable water for all animals housed.

Inspectors should be able to physically examine animals.

More than one group should be involved in shutting down a facility and deciding if animals are to be euthanized.

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# USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

8. Transportation, St. Louis, MO, Feb. 23-24, 1996

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## 8. ST. LOUIS SESSION: Transportation by Land and By Air

### Process

Generate ideas

Subgroup

    Define issue

    Discuss

    Identify actions

    Record on flip chart

    Report to breakout group

Clarify

Feedback

Day 2

Clarify comments

Subgroups

    Restate issue

    Incorporate feedback

    Summarize action

    Record on flip chart

    Report to breakout group

### Ground rules

Self managed breaks

Focus on the situation or issue - not the individual

No quotes or attributions

Let everyone participate

Agree to disagree

### Purpose

Give input to USDA for their process of reviewing the regulation

Listen and gather information

Identify key issues

Come up and recommended actions

Identify common ground

Identify "tough to resolve" issues

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**IDENTIFICATION OF KEY ISSUES [Brainstorming]**

1. Differentiation between puppies and adult animals.
2. Crate size (ground and air.)
3. Puppies under the age of 8 weeks able to be sold/transport with nursing female.
4. Uniform labels between airlines.
5. Temperature - separate adults from puppies; humidity
6. Ability to transport 3 puppies per carrier (airline).
7. Uniform enforcement of regulations between states.
8. How soon after spay/neuter should an animal enter transportation?
9. Current regulations on transporting farm animals? Especially used in research.
10. Clarify and simplify definitions.
11. Time in route.
12. Airlines to notify crew of live animals aboard.
13. USDA (supports) backs up inspections/approval.
14. Multiple health certifications. Over short distances.
15. Revisit ground transportation rules and regulations.
16. Enforcement of existing regulations.
17. Signs for all live animal carriers (in commerce).

[The participants then grouped topics under four key headings.]

**Airline**

2. Crate size (ground and air.)
4. Uniform labels between airlines.
5. Temperature - separate adults from puppies; humidity
6. Ability to transport 3 puppies per carrier (airline).
11. Time in route.
12. Airlines to notify crew of live animals aboard.

**Enforcement**

7. Uniform enforcement of regulations between states.
10. Clarify and simplify definitions.
13. USDA (supports) backs up inspections/approval.
16. Enforcement of existing regulations.

**Ground transport**

1. Differentiation between puppies and adult animals.
3. Puppies under the age of 8 weeks able to be sold/transport with nursing female.

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- 5. Temperature - separate adults from puppies; humidity
- 11. Time in route.
- 14. Multiple health certifications. Over short distances.
- 15. Revisit ground transportation rules and regulations.
- 17. Signs for all live animal carriers (in commerce).

[The participants then broke into subgroups, defined each issue, and identified actions.]

### ENFORCEMENT

Uniform enforcement between states

Uniform enforcement of air and ground rules

Clarify simplify definitions

- a. Intermediate handler to transporter
- b. Simplify - change  
Class A to "breeder"  
Class B to "distributor"
- c. Clarify and simplify to laymen's terms-issues and definitions of regulations so all inspectors follow same interpretations.

Enforce - uniform - enforcement

Additional Comments

Transfer territories among inspectors

Continuing education

More inspectors for kennels with problems

Fewer inspectors on top kennels

Education and training (continuing).

Additional Comments:

Model breeding kennel to help train the inspectors

Visits to substandard breeders and training on how they can help them improve.

Handbook or video

Remedial/repetitive education

Possible internship - inspector trainee spend time (2 months) working at/with a licensed kennel to see first hand how things really work

**USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE**  
**8. Transportation, St. Louis, MO, Feb. 23-24, 1996**

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**GROUND TRANSPORT**

1. Signs for all animal carriers (in commerce).
  - A. Attracts and delays all transportation vehicles.  
Additional Comment: What have you to hide? It could save your dog's life.
  - B. Highway patrol reports signs (baby on board, etc.) increase accidents and unsafe conditions in transport.
  - C. May cause additional harassment by uniformed or radical rights activists.
  - D. Previous comments add stress, delay, theft, etc., to canine and feline shipments.
2. Multiple health certificates over short distances.
  - A. This group feels that this problem should be discussed and worked out between Federal and State veterinarians. (The above concerns bordering states).  
Additional Comments:  
Define  
Revisit total regulations.  
Handbook or video
3. To permit puppies less than 8 weeks old able to be sold with dam.
  - A. On page 49, paragraph F4, delete "when shipped to research facilities, including federal research facilities."  
Additional Comment:  
The way the law is now it does not allow a licensed pet breeder to sell out, or sell a breed out or to sell a dog nursing puppies to another licensed breeder. The law says puppies cannot enter commerce before 8 weeks of age.
  - B. On page 49, paragraph G2, delete "when shipped to research facilities, including federal research facilities."
4. Temperature and humidity  
Await results of joint study conducted by FAA and USDA.  
Additional Comment: Will the study be done in time to affect Animal Welfare Act update?
5. Uniform enforcement needed
  - a. Training of inspectors for better understanding of regulations for greater uniformity.  
Additional Comments:  
Possible internship with licensed kennel  
Enforce the amount of time a coast to coast trucking operation can have puppies/kittens on.  
Enforce crate sizes for ground travel.

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**AIRLINE**

**1. Crate size issue - excessive size**

Eliminate "sit erect" add crate must allow animal to brace itself.

Current regulations lead airlines to require crates so large that animals are thrown about.

Training of airline personnel

**2. Temperature requirement**

Drop 45 minute time frame requirement in 3.19 paragraph 1 & 3 - Conflicts with 4 hr. period to simplify.

**3. Temperature and air flow requirements to guarantee proper temperature control and ventilation occurs in cargo hold.**

Mandatory notice of live animals to plane crew - notice to check ventilation and temperature.

**4. Consistent enforcement of all regulations**

Uniform training of USDA personnel and the public.

**Additional Comments:**

Yearly training session for all USDA inspectors (and public).

Yearly training session for all Class "A" dealers and animal personnel

Public meetings (yearly)

Handbook or video

**5. Problem of shipping odd number of small puppies**

Add to 3.14 (F) #3

Allow 3 puppies weighing 5 pounds each or less to ship in a crate of sufficient size.

**Additional Comments:**

This is not to save money in shipment. There are times such as when a pet store orders 9 small breed puppies. 1 puppy must travel alone this increases stress, social, nerve, temperature problems in small breed puppies.

Continuing education through annual seminars (1-2 day seminars).

Humidity and temp sliding scale.

**AIRLINE**

**1. Primary enclosure issue**

**3.14 section 4e**

Delete "sit erect" wording in regulation to eliminate excessive space and allow the animal to brace itself.

**2. Temperature and humidity**

**3.19 Section 1 and 3 etc.**

Delete "45 minute transfer requirement"

As it is in conflict with Section 318d - 4 hr. rule

**3. Ventilation and air flow**

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Crew must be notified - mandatory - of the presence of/and # live animals aboard each flight.  
In the form of a check off list - check ventilation and temperature

4. Require inspection (visual) of all animals if held in air craft cargo hold more than 4 hours.  
(Flight delayed)
5. Revisit immediately results of FAA/USDA temp/humidity study in order to address current lack maximum temp in current regulations.
6. Enforcement and training
  - a. Consistency
  - b. Develop training aids (USDA approved)
  - c. Mandatory training and continuing education
    1. Airline - carrier personnel
    2. USDA
    3. Public information (individual pet shipper)
  - d. Periodic \*USDA review of all training and enforcement programs

\*= annually ideally, at least biannually

7. Primary enclosure for handling small breed puppies.

314 F container size and numbers of animals shipped:

- A. For smaller breeds (5 pounds each) allow shipment of 3 maximum in individual crate (total weight 20 pounds).

Justification: stress reduction of small breeds avoiding solitary small breed shipments.

8. Health/post recovery of animals shipped

- a. Mandatory time recovery requirement (3-5 days) post s/h surgery or any surgical procedure. (Time required should be evaluated)

9. Carrier reporting:

- a. Mandatory reporting by air carriers to USDA if: this data is need to:

1. Total number of animals shipped/year Group did not agree.
2. Total number of animals fatalities/year
3. Total number of animals losses/year of animals death lost - immediately after
  1. Adequately represent the extent of fatalities/losses of animals shipped/year.
  2. Part of USDA investigation aid in determining cause of deaths
  3. Provide accountability to USDA licensed air carriers.

# USDA PUBLIC MEETINGS ON DOGS AND CATS IN THE COMMERCIAL PET TRADE

8. Transportation, St. Louis, MO, Feb. 23-24, 1996

## GROUND TRANSPORTATION

1. Signs for all animal carriers (in commerce).
  - A. Attracts and delays all transportation vehicles. Non-consensus  
Additional Comment: What have you to hide? It could save your dog's life.
  - B. Highway patrol reports signs (baby on board, etc.) increase accidents and unsafe conditions in transport.
  - C. May cause additional harassment by uniformed or radical rights activists.
  - D. Previous comments add stress, delay, theft, etc., to canine and feline shipments.
2. Multiple health certificates over short distances.
  - A. This group feels that this problem should be discussed and worked out between federal and state veterinarians. (The above concerns bordering states). Limited to ground transport.  
Additional Comments: Define; Revisit total regulations; Handbook or video
3. To permit puppies less than 8 weeks old able to be sold with dam.
  - A. Pertained to airlines scratch.....  
On page 49 paragraph F4, delete "when shipped to research facilities including federal research facilities." scratch.....
  - B. On page 49, paragraph G2, delete "when shipped to research facilities, including federal research facilities." line 1 of G2 following weaned add or insert and unweaned also provide for dam or surrogate.  
The way the law is now it does not allow a licensed pet breeder to sell out, or sell a breed out or to sell a dog nursing puppies to another licensed breeder. The law says puppies cannot enter commerce before 8 weeks of age.
4. Temperature and humidity  
Await results of joint study conducted by FAA and USDA.  
Additional Comments:  
Will the study be done in time to affect Animal Welfare Act update?  
If the study is not available, when affecting animal welfare act update then no scientific documentation to support change.
5. Uniform enforcement needed
  - a. Training of inspectors for better understanding of regulations for greater uniformity.  
Additional Comments:  
Possible internship w/licensed kennel longer training period with experienced inspectors.  
Enforce the amount of time a coast to coast trucking operation can have puppies/kittens on. - already addressed in regulations. Humane care is utmost important issue here and not the time in transit.  
Enforce crate sizes for ground travel. Already covered by the regulations.  
Issue of windchill raised however covered by regulations.

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**6. Collaring of puppies in a breeding facility.**

Pen identification is sufficient until individual identification is necessary at time of transportation. This prevents any harm or injury to the puppies due to collaring.

**ENFORCEMENT**

**Uniform enforcement**

All entities housing canine and feline for any length of time, should have enforcement of same regulations i.e.

1. Pet shops
2. Show breeders
3. Humane societies
4. Pounds etc.

**Avenues:**

- A. Fewer inspections for kennels found to be in compliance repeatedly (time to be discussed).  
Research avenues to locate non-compliance or non-licensed facilities  
Education

Emphasize the philosophy of the Act when interpreting the regulations and standards to inspectors.

If regulations do not emphasize the philosophy of the Act - rewrite it to do so.

(Dealing in the care and welfare of animals provided by the facility).

Suggestion: USDA send critique sheets developed by focus group (distributors, USDA breeders pet shops etc.)

**Purposes:**

1. Self evaluation - job aid
2. Assistance of expedition of inspections
3. Red flags possible non-compliance facilities

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